

Appendix A

**MINUTES OF THE COUNCIL  
OF THE  
CITY OF TORONTO**

**SPECIAL MEETING**

**TUESDAY, APRIL 28, 1998**

City Council met at 9:39 a.m., in the Council Chamber, Metro Hall, Toronto.

Mayor Lastman took the Chair and called the Members to order.

- 571 At the request of Council, the City Clerk called the Roll at 9:40 a.m., those Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Berardinetti, Berger, Bossons, Cho, Chong, Davis, Disero, Duguid, Faubert, Feldman, Flint, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shiner, Silva, Walker - 40.

- 572 Members present at the morning session of the first day of this Special Meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 56.

- 573 Mayor Lastman read the following Notice of Special Meeting:

“In accordance with the direction of Council, a Special Meeting of Council will be held on Tuesday, April 28, 1998, at 9:30 a.m., in the Metro Hall Council Chamber, 55 John Street, Toronto, for the following purposes:

- (a) to consider only those matters that remain outstanding on the Order Paper for the Council meeting held on April 16, 1998; and
- (b) to consider and enact a bill to confirm the proceedings of this Special Meeting.”

The following communications were listed on the Order Paper for this Special Meeting:

- 574 From the President, City of Toronto Administrative, Professional Supervisory Association, Inc. (COTAPSAI) (April 9, 1998) requesting that City Council defer any decision on the status of the Association until the next meeting of Council.

The foregoing communication was considered with Clause No. 1 of Report No. 3A of The Corporate Services Committee. (See Appendix “A”, page 3215.)

- 575 Confidential report (April 15, 1998) from the Commissioner of Corporate Services.

The foregoing confidential report was considered with Clause No. 1 of Report No. 3A of The Corporate Services Committee. (See Appendix “A”, page 3215.)

- 576 From the City Clerk and City Solicitor (April 8, 1998) advising of the receipt of a petition containing 315 signatures requesting Council to pass a by-law to redivide the City of Toronto into 22 wards using the Federal Government riding boundaries, and further advising that anyone who signed the petition can appeal to the Ontario Municipal Board if Council does not pass a by-law in accordance with the petition within 30 days of receipt of the petition.

The foregoing joint report was considered with Clause No. 1 of Report No. 4A of The Urban Environment and Development Committee. (See Appendix “A”, page 3219.)

- 577 From the City Clerk (April 7, 1998) reporting, as requested by the Urban Environment and Development Committee, on the pros and cons of allowing variations in ward population size of plus or minus 25 percent from the average, and the pros and cons of using a single voters’ list; and recommending that this report be received for information.

The foregoing report was considered with Clause No. 1 of Report No. 4A of The Urban Environment and Development Committee. (See Appendix “A”, page 3219.)

- 578 From the City Solicitor and the City Clerk (April 14, 1998) reporting further, as requested by the Chair of the Urban Environment and Development Committee, with respect to a 22-ward system and the legal implications of the petition requesting division of the City into 22 wards.

The foregoing joint report was considered with Clause No. 1 of Report No. 4A of The Urban Environment and Development Committee. (See Appendix “A”, page 3219.)

- 579 From the City Clerk (April 16, 1998) advising, with respect to the petition to redivide the City into 22 wards, that section 13.2 of the Municipal Act requires that the petition contain the signatures of 150 electors; that staff were only able to verify that 135 signatures were on the voters' list from the 1997 municipal election, and accordingly, the petition is not properly before Council.

The foregoing report was considered with Clause No. 1 of Report No. 4A of The Urban Environment and Development Committee. (See Appendix "A", page 3219.)

- 580 From Councillor Jack Layton, Don River, submitting for information, a joint communication dated March 19, 1998, addressed to Mayor Hazel McCallion, City of Mississauga and Chair, GTA Mayors and Regional Chairs Committee, from the Minister of Transportation and the Solicitor General and Minister of Correctional Services, in response to the resolution passed by the GTA Mayors and Regional Chairs Committee indicating support for the introduction of photo enforcement technologies at the municipal level; and indicating, inter alia, that they are willing to consider proposals to introduce red light cameras if a municipality can demonstrate the following:

- the program identifies and charges only the driver with the offence, not the vehicle owner;
- the program is acceptable to Ontario's Information and Privacy Commissioner; and
- municipalities pay for Provincial services required to assist in the administration of the program on a cost recovery basis.

The foregoing communication was considered with Clause No. 2 of Report No. 4A of The Urban Environment and Development Committee. (See Appendix "A", page 3240.)

- 581 From the Chairperson, Red Light Task Force, Scarborough Safety V.I.N.E. (March 18, 1998) expressing concern about the issue of red light running and forwarding information on the Scarborough Safety V.I.N.E. (Vehicle Injury-Prevention Network & Exchange), together with a summary of V.I.N.E.'s Drivers' Safety Survey Report.

The foregoing communication was considered with Clause No. 2 of Report No. 4A of The Urban Environment and Development Committee. (See Appendix "A", page 3240.)

- 582 From Mr. R. Iannone, Communications, Canadian Driver's Awareness Society (April 8, 1998) requesting that City Council consider exploring the benefits of making it mandatory for all drivers guilty of running a red light to attend a driver awareness course.

The foregoing communication was considered with Clause No. 2 of Report No. 4A of The Urban Environment and Development Committee. (See Appendix "A", page 3240.)

- 583 From the City Solicitor (April 9, 1998) reporting, as requested by the Works and Utilities Committee, on legal remedies that may be used to help establish a deposit/return system for wine and spirit beverage containers sold in the new City of Toronto, and recommending that, should Council wish to proceed with the implementation of a deposit-return system for beverage containers, the Province be requested to enact legislation granting the City the power to do so.

The foregoing report was considered with Clause No. 1 of Report No. 3A of The Works and Utilities Committee. (See Appendix "A", page 3256.)

- 584 From the General Manager, Alcan Rolled Products Company (March 24, 1998) addressed to Councillor Betty Disero, advising of initiatives undertaken by Alcan with respect to aluminum recycling, and enclosing background material in this regard.

The foregoing communication was considered with Clause No. 1 of Report No. 3A of The Works and Utilities Committee. (See Appendix "A", page 3256.)

- 585 From the President and CEO, Canadian Soft Drink Association (CSDA) (April 15, 1998) providing comments on the proposed deposit/return system for the City of Toronto, and submitting a Fact Sheet in regard thereto.

The foregoing communication was considered with Clause No. 1 of Report No. 3A of The Works and Utilities Committee. (See Appendix "A", page 3256.)

- 586 From Councillor Judy Sgro, North York - Humber (undated) recommending that Council request the Commissioner of Works and Emergency Services and the City Solicitor to submit to the next meeting of the Works and Utilities Committee, a by-law requiring that all beverages sold in the City of Toronto be subject to a deposit return system.

The foregoing communication was considered with Clause No. 1 of Report No. 3A of The Works and Utilities Committee. (See Appendix "A", page 3256.)

- 587 From Councillor Joan King, Seneca Heights (April 15, 1998) submitting for information, a copy of the Association of Municipalities of Ontario (AMO) Policy Report (March, 1998), entitled "AMO's Response to the Recycling Council of Ontario's Recycling Roles and Responsibilities Draft Consultation Paper".

The foregoing communication was considered with Clause No. 1 of Report No. 3A of The Works and Utilities Committee. (See Appendix "A" page 3256.)

588 From the following individuals in support of capping the tax increase on residential properties at 2.5 percent, as proposed for commercial and rental properties:

- (i) (April 9, 1998) from the President, The South Rosedale Ratepayers' Association;
- (ii) (undated) from Mr. C. Kotoulas, Toronto, forwarding his submission on Current Value Assessment;
- (iii) (April 15, 1998) from Mr. F. Altmann, Toronto;
- (iv) (April 16, 1998) from Ms. C. Helmstadter, Toronto; and
- (v) (April 16, 1998) from Ms. J. Puncher, Toronto.

The foregoing communications were considered with Clause No. 12 of Report No. 4A of The Strategic Policies and Priorities Committee. (See Appendix "A", page 3325.)

589 From Councillor Joan King, Seneca Heights (April 15, 1998) submitting for information, a copy of the Association of Municipalities of Ontario's (AMO's) Municipal Act Task Force Report respecting the proposed new Municipal Act, entitled "Phase I - Key Issues", and advising that once the final document is prepared, a copy will be forwarded to all Members of Council.

The foregoing communication was considered with Clause No. 13 of Report No. 4A of The Strategic Policies and Priorities Committee. (See Appendix "A", page 3333.)

590 From the Chief Financial Officer and Treasurer (April 14, 1998) providing, as requested by the Strategic Policies and Priorities Committee, an updated process for the development of a tax implementation plan, and submitting additional recommendations with respect thereto.

The foregoing report was considered with Clause No. 25 of Report No. 4A of The Strategic Policies and Priorities Committee. (See Appendix "A", page 3352.)

591 From the Chief Financial Officer and Treasurer (April 16, 1998) providing a list of all Provincial regulations which need to be finalized to execute property tax reform in Ontario.

The foregoing report was considered with Clause No. 25 of Report No. 4A of The Strategic Policies and Priorities Committee. (See Appendix "A", page 3352.)

592 From the Chief Financial Officer and Treasurer (April 16, 1998) providing additional information regarding the impact of using a calculated transition ratio for the multi-residential properties versus the preliminary transition ratio as directed by the Province.

The foregoing report was considered with Clause No. 25 of Report No. 4A of The Strategic Policies and Priorities Committee. (See Appendix "A", page 3352.)

- 593 From Professor John Bossons, University of Toronto (April 15, 1998) addressed to Councillor Adams, Chair of the Assessment and Tax Policy Task Force, providing comments with respect to the proposal for an independent quality audit of Provincial current value assessments in Toronto, and requesting that the issue be referred back to the Assessment and Tax Policy Task Force in order that cheaper and more effective alternatives can be examined.

The foregoing communication was considered with Clause No. 27 of Report No. 4A of The Strategic Policies and Priorities Committee. (See appendix "A" page 3369.)

- 594 Confidential joint report (April 15, 1998) from the City Solicitor and the Commissioner of Urban Planning and Development Services.

The foregoing confidential joint report was considered with Clause No. 41 of Report No. 4A of The North York Community Council. (See Appendix "A", page 3378.)

- 595 From Ms. G. Lundeen, Library Transition Team, Toronto Public Library (April 9, 1998) reporting, as requested by the Special Committee to Review the Final Report of the Toronto Transition Team, on a recommended criteria for the appointment of citizen members to the Toronto Public Library Board.

The foregoing communication was considered with Clause No. 2 of Report No. 4A of The Special Committee to Review the Final Report of the Toronto Transition Team. (See Appendix "A", page 3395.)

- 596 From various persons and organizations regarding the implementation of deposit/return system for beverage containers:
- (i) (April 15, 1998) from the President and CEO, Canadian Soft Drink Association (CSDA);
  - (ii) (April 9, 1998) from the Vice President, Municipal Support, Corporations Supporting Recycling (CSR);
  - (iii) (April 3, 1998) from the Director, Sales and Marketing, Metal Beverage Container Operations, Ball Packaging Products Canada, Inc.;
  - (iv) (March 31, 1998) from the Regional Director, Ontario, Canadian Council of Grocery Distributors;
  - (v) (April 1, 1998) from the President, Crown Cork & Seal Canada Inc.;
  - (vi) (April 6, 1998) from the Manager, Environmental Quality, Procter & Gamble Inc.; and
  - (vii) (April 17, 1998) from the Vice President, Public Affairs, The Oshawa Group Limited.

The foregoing communications were considered with Clause No. 1 of Report No. 3A of The Works and Utilities Committee. (See Appendix "A", page 3256.)

597 From the City Clerk (April 22, 1998) forwarding, for consideration with Clause No. 1 of Report No. 3A of the Works and Utilities Committee, the following:

- (i) report (April 16, 1998) from the City Solicitor, respecting a deposit/return system for beverage containers and measures that can be undertaken with respect to licensing at the retail or distribution level, as requested by the Committee at its meeting on March 25, 1998; and
- (ii) communication (April 20, 1998) from Mr. Robert G. Power, Outerbridge, Miller, Sefton, Willms & Shier, Barristers and Solicitors, in response to the Committee's invitation to appear before the Committee at its meeting on April 22, 1998; advising that he would not be available to attend the meeting due to a prior out-of-town commitment; and providing arguments for the City of Toronto to pursue a deposit/refund system within its jurisdiction, despite any regulatory restrictions that the City may currently face.

The foregoing communication was considered with Clause No. 1 of Report No. 3A of The Works and Utilities Committee. (See Appendix "A", page 3256.)

598 From the Association of Municipal Clerks and Treasurers of Ontario (April 21, 1998) forwarding, for information, a copy of a resolution enacted by the Corporation of the Township of North Dorchester on April 6, 1998, petitioning the Provincial Government to enact legislation to permit only a reusable plastic (PET) pop bottle program so that each PET bottle can be reused 25 times.

The foregoing communication was considered with Clause No. 1 of Report No. 3A of The Works and Utilities Committee. (See Appendix "A", page 3256.)

599 From the City Clerk (April 22, 1998) submitting amendments to the recommendations contained in the communication dated April 6, 1998, from the Chair, Assessment and Tax Policy Task Force, embodied in Clause No. 25 of Report No. 4A of The Strategic Policies and Priorities Committee, headed "Property Assessment and Tax Policy System".

The foregoing communication was considered with Clause No. 25 of Report No. 4A of The Strategic Policies and Priorities Committee. (See Appendix "A", page 3352.)

600 Ontario Municipal Board Decision issued December 16, 1997, dismissing two appeals to Zoning By-law No. 1997-0369 (Midtown), submitted by Councillor Adams.

The foregoing communication was considered with Item (ff), embodied in Clause No. 96 of Report No. 3A of The Toronto Community Council. (See Appendix "A" page 3384.)

- 601 From the Director of Corporate Support Services, City of St. Catharines (April 9, 1998) requesting endorsement of a Resolution enacted by the Council of the Corporation of the City of St. Catharines respecting reduction of sulphur content in gasoline.

The foregoing communication was considered with Notice of Motion 10(c) on the Order Paper. (See Minute No.649)

- 602 From the City Clerk (April 23, 1998) advising that the Community and Neighbourhood Services Committee at its meeting held on April 23, 1998, concurred in the recommendations embodied in the Notice of Motion by Councillor Chow, seconded by Councillor McConnell, with regard to the impact of education funding changes on programs for children.

The foregoing communication was considered with Notice of Motion 10(i) on the Order Paper. (See Minute No. 649)

- 603 From the General Manager, Sign Association of Canada (April 27, 1998) requesting that the proposed sign control interim by-law not be approved, and further requesting that the 45-metre set-back allowance agreement be maintained pending the decision reached at the meeting with the Road Allowance Sub-Committee.

The foregoing communication was considered with Clause No. 1 of Report No. 5 of The Urban Environment and Development Committee. (See Appendix "A", page 3247.)

- 604 Councillor Nunziata presented the following Reports for consideration by Council:

Report No. 3A of The Corporate Services Committee,  
Report No. 4A of The Urban Environment and Development Committee,  
Report No. 3A of The Works and Utilities Committee,  
Report No. 4A of The Strategic Policies and Priorities Committee,  
Report No. 5A of The Strategic Policies and Priorities Committee,  
Report No. 4A of The North York Community Council,  
Report No. 3A of The Toronto Community Council,  
Report No. 4A of The Special Committee to Review the Final Report of the Toronto Transition Team, and  
Report No. 1A of The Nominating Committee,

and moved, seconded by Councillor Prue, that Council now give consideration to such Reports, which was carried.

Mayor Lastman requested Members of Council to indicate the Report and Clause Number wherein they have an interest, together with the nature of the interest.



Councillor Ashton declared his interest in Clause No. 2 of Report No. 4A of The Strategic Policies and Priorities Committee, headed “Voluntary Separation Program for Bargaining Unit Employees”, in that his wife is employed by the City of Toronto.

605 At this point in the proceedings, Councillor Kelly, with the permission of Council, moved Council vary the order of its proceedings to now consider Clause No. 1 of Report No. 1A of The Nominating Committee, headed “Appointments to the Board of Directors of the Greater Toronto Airports Authority (GTAA)”, the vote upon which was taken as follows:

Yeas: Councillors: Balkissoon, Berardinetti, Berger, Chong, Davis, Disero, Fotinos, Jakobek, Kelly, Korwin-Kuczynski, Shiner - 11.

Nays: Councillors: Adams, Altobello, Ashton, Bossons, Cho, Duguid, Faubert, Feldman, Flint, Giansante, Holyday, Johnston, Jones, Kinahan, King, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Silva, Walker - 33.

Decided in the negative by a majority of 22.

606 **Clause No. 1 of Report No. 3A of The Corporate Services Committee, headed “City of Toronto Administrative, Professional Supervisory Association, Incorporated (COTAPSAI)”.**  
(See Appendix “A”, page 3215.)

Council also had before it, during consideration of the foregoing Clause, the following confidential report and communication:

- (i) (April 15, 1998) from the Commissioner of Corporate Services; and
- (ii) (April 9, 1998) from the President, City of Toronto Administrative, Professional Supervisory Association, Incorporated (COTAPSAI), requesting City Council to defer any decision on the status of the Association until the next meeting of Council.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Johnston, in amendment, moved that the foregoing Clause be struck out and referred back to the Corporate Services Committee for further consideration.

Upon the question of the adoption of the foregoing motion by Councillor Johnston, it was carried.

At this point in the proceedings, Councillor Shiner, with the permission of Council, moved that Council vary the order of its proceedings to consider Clause No. 2 of Report No. 3A of The Corporate Services Committee, headed “Retention of Real Estate Consulting Firm in which a Former Employee is a Principal”, as the first item of business at 2:00 p.m., and, at that time, Council reconvene in Committee Room “A” and then recess to meet privately to consider such Clause, in accordance with the provisions of the Municipal Act, which was carried. (See Minutes Nos. 613 and 620 )

At this point in the proceedings, Councillor Pantalone, with the permission of Council, moved that Council vary the order of its proceedings to consider Clause No. 1 of Report No. 4A of The Urban Environment and Development Committee, headed "Ward Boundary Review Process", at 11:00 a.m., which was carried. (See Minute No. 608.)

- 607 **Clause No. 2 of Report No. 4A of The Urban Environment and Development Committee, headed "Monitoring of Red-Light Violations at Traffic Control Signals".** (See Appendix "A", page 3240.)

Council also had before it, during consideration of the foregoing Clause, the following communications:

- (i) from Councillor Jack Layton, Don River, submitting for information, a joint communication dated March 19, 1998, addressed to Mayor Hazel McCallion, City of Mississauga and Chair, GTA Mayors and Regional Chairs Committee, from the Minister of Transportation and the Solicitor General and Minister of Correctional Services, in response to the resolution passed by the GTA Mayors and Regional Chairs Committee indicating support for the introduction of photo enforcement technologies at the municipal level; and indicating, inter alia, that they are willing to consider proposals to introduce red light cameras if a municipality can demonstrate the following:
  - the program identifies and charges only the driver with the offence, not the vehicle owner;
  - the program is acceptable to Ontario's Information and Privacy Commissioner; and
  - municipalities pay for Provincial services required to assist in the administration of the program on a cost recovery basis;
- (ii) (March 18, 1998) from the Chairperson, Red Light Task Force, Scarborough Safety V.I.N.E. (Vehicle Injury-Prevention Network & Exchange), expressing concern about the issue of red light running and forwarding information on V.I.N.E., together with a summary of V.I.N.E.'s Drivers' Safety Survey Report; and
- (iii) (April 8, 1998) from Mr. R. Iannone, Communications, Canadian Driver's Awareness Society requesting that City Council consider exploring the benefits of making it mandatory for all drivers guilty of running a red light to attend a driver awareness course.

Council also had before it, during consideration of the foregoing Clause, a communication (September 15, 1996) from Dr. Robin P. Humphreys, Neurosurgeon-in-Chief, The Hospital for Sick Children, addressed to Councillor Anne Johnston, in support of surveillance cameras at intersections.

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Kinahan, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Province of Ontario be reminded that the owner of a motor vehicle should be accountable when giving possession of their automobile to someone who drives through red lights.”

- (b) Councillor Lindsay Luby, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Province of Ontario be requested to consider implementing a driver re-examination program every 5 or 10 years.”

At this point in the proceedings, Mayor Lastman, having regard to the nature of the foregoing motion (b) by Councillor Lindsay Luby, ruled such motion out of order.

- (c) Councillor Feldman, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Mayor be requested to follow-up on the report previously requested by City Council at its meeting held on February 4, 5 and 6, 1998, by its adoption of a Notice of Motion by Councillor Feldman, seconded by Councillor Fotinos, wherein the Chair of the Toronto Police Services Board was requested to submit a report to the Emergency and Protective Services Committee on the feasibility of a City-run, unarmed constabulary to issue citations for all traffic violations.”

Mayor Lastman gave the Chair to Deputy Mayor Ootes, and vacated the Chair.

- (d) Mayor Lastman, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Province of Ontario be requested to increase the fine for red-light violations from \$105.00 to \$200.00.”

Mayor Lastman resumed the Chair.

Upon the question of the adoption of the foregoing motion (d) by Mayor Lastman, it was carried.

Upon the question of the adoption of the foregoing motion (c) by Councillor Feldman, it was carried.

Upon the question of the adoption of the foregoing motion (a) by Councillor Kinahan, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas - 53.

Nays: Councillors: Jakobek, Walker - 2.

Decided in the affirmative by a majority of 51.

608 **Clause No. 1 of Report No. 4A of The Urban Environment and Development Committee, headed "Ward Boundary Review Process".**  
(See Appendix "A", page 3219.)

Council also had before it, during consideration of the foregoing Clause, the following reports:

- (i) (April 8, 1998) from the City Clerk and City Solicitor advising of the receipt of a petition containing 315 signatures requesting Council to pass a by-law to redivide the City of Toronto into 22 wards using the Federal Government riding boundaries, and further advising that anyone who signed the petition can appeal to the Ontario Municipal Board if Council does not pass a by-law in accordance with the petition within 30 days of receipt of the petition;
- (ii) (April 7, 1998) from the City Clerk reporting, as requested by the Urban Environment and Development Committee, on the pros and cons of allowing variations in ward population size of plus or minus 25 percent from the average, and the pros and cons of using a single voters' list; and recommending that this report be received for information;
- (iii) (April 14, 1998) from the City Solicitor and the City Clerk reporting further, as requested by the Chair of the Urban Environment and Development Committee, with respect to a 22-ward system and the legal implications of the petition requesting division of the City into 22 wards; and
- (iv) (April 16, 1998) from the City Clerk advising, with respect to the petition to redivide the City into 22 wards, that section 13.2 of the Municipal Act requires that the petition contain the signatures of 150 electors; that staff were only able to verify that

135 signatures were on the voters' list from the 1997 municipal election, and accordingly, the petition is not properly before Council.

Upon the question of the adoption of the foregoing Clause, without amendment:

(a) Councillor Bussin, in amendment, moved that the foregoing Clause be amended by deleting Recommendation No. (5) embodied in the joint report dated March 12, 1998, from the City Clerk and the Commissioner of Urban Planning and Development Services.

(b) Councillor Pantalone, in amendment, moved that the foregoing Clause be amended by:

(1) adding thereto the following:

“It is further recommended that the report dated April 16, 1998, from the City Clerk, embodying the following recommendation, be adopted:

‘It is recommended that Council determine that the petition is not properly before Council.’ ”; and

(2) deleting Recommendation No. (6) embodied in the joint report dated March 12, 1998, from the City Clerk and the Commissioner of Urban Planning and Development Services, and inserting in lieu thereof the following:

“(6) the appropriate staff develop plans which give effect to City Council’s decision that there will be three Councillors from East York;”.

(c) Councillor Nunziata, in amendment, moved that the foregoing Clause be amended by striking out the recommendation of the Urban Environment and Development Committee and inserting in lieu thereof the following:

“It is recommended that:

**WHEREAS** the Toronto Transition Team recommended that there be only one Councillor per ward representation for the next term of Council that begins in 2001; and

**WHEREAS** one Councillor per ward can effectively represent each constituency, similar to an MP or MPP; and

**WHEREAS** the reduction of the size of the City of Toronto Council by 50 percent would provide significant cost-savings to the taxpayers;

**NOW THEREFORE BE IT RESOLVED THAT** Recommendation No. (21) of the Final Report of the Toronto Transition Team pertaining to one Councillor per ward representation be endorsed by Council;

**AND BE IT FURTHER RESOLVED THAT** Council now refer this issue to the Urban Environment and Development Committee, which shall direct and oversee appropriate staff in preparing a report on the measures needed to be implemented, in order to ensure that Council can effectively move to single-member wards for the next term of Council.”

At this point in the proceedings, Councillor Davis, rising on a point of procedure, requested Mayor Lastman to rule on whether the foregoing motion (c) by Councillor Nunziata was in order.

Mayor Lastman, having regard to the nature of the foregoing motion (c) by Councillor Nunziata, ruled such motion in order.

- (d) Councillor Ootes, in amendment, moved that the foregoing Clause be amended by striking out and referring Recommendations Nos. (1) and (5) embodied in the joint report dated March 12, 1998, from the City Clerk and the Commissioner of Urban Planning and Development Services, back to the Urban Environment and Development Committee for further consideration in late 1999 or early 2000.

Mayor Lastman gave the Chair to Deputy Mayor Ootes, and vacated the Chair.

- (e) Councillor Prue, in amendment, moved that the foregoing Clause be amended by deleting from Recommendation No. (2) embodied in the joint report dated March 12, 1998, from the City Clerk and the Commissioner of Urban Planning and Development Services, the number “25”, and inserting in lieu thereof the number “10”.

Mayor Lastman resumed the Chair.

Council deferred further consideration of the foregoing Clause until later in the meeting. (See Minute No. 611.)

- 609 At this point in the proceedings, Mayor Lastman, with the permission of Council, introduced His Worship, Mayor Stephen Goldsmith, Mayor of Indianapolis, present at this meeting, accepted, on behalf of Council, a memento from the Mayor, and invited Mayor Goldsmith to address the Council.

- 610 **Clause No. 1 of Report No. 5A of The Strategic Policies And Priorities Committee, headed “Award of Contract for the Construction of the Toronto Police Service Forensic Examination Centre”.**  
(See Appendix “A”, page 3373.)

Having regard that the foregoing Clause was submitted without recommendation, Councillor Bossons, moved that Council adopt the following recommendation embodied in the report dated February 27, 1998, from the Chairman, Toronto Police Services Board, as recommended by the Budget Committee in the transmittal letter dated April 8, 1998:

“It is recommended that the Emergency and Protective Services Committee approve the construction award for the Toronto Police Service Forensic Examination Centre to Atlas Corporation at a cost of \$5,070,000.00 and that the funds be provided from the Police Services Board’s 1996-2000 Capital Budget.”

Upon the question of the adoption of the foregoing motion by Councillor Bossons, it was carried.

- 611 Council resumed its consideration of Clause No. 1 of Report No. 4A of The Urban Environment and Development Committee, headed “Ward Boundary Review Process”. (See also Minute No. 608)

Mayor Lastman gave the Chair to Deputy Mayor Ootes, and vacated the Chair.

(f) Councillor Bossons, in amendment, moved that the foregoing Clause be amended by:

- (1) striking out Recommendation No. (8) embodied in the joint report dated March 12, 1998, from the City Clerk and the Commissioner of Urban Planning and Development Services, and inserting in lieu thereof the following:

“(8) Community Councils be requested to hold meetings to invite the public’s input on the matter of ward boundaries, ward division and governance, and report thereon through the Urban Environment and Development Committee;” and

- (2) striking out and referring back to the City Clerk and the Commissioner of Urban Planning and Development Services the following portion of Recommendation No. (2) embodied in the joint report dated March 12, 1998, from the City Clerk and the Commissioner of Urban Planning and Development Services:

“and that variations in average Ward populations of plus or minus 25 percent be accepted as the norm”,

with a request that variations of plus or minus 25 percent and plus or minus 10 percent be studied and a report thereon be submitted to the Urban Environment and Development Committee.

- (g) Councillor Kinahan, in amendment, moved that the foregoing motion (d) by Councillor Ootes be amended by adding thereto the following:

“and the public consultation process deal with, firstly and separately, the issue of whether there should be one Councillor per Ward”.

Council deferred further consideration of the foregoing Clause until later in the meeting. (See also Minute No. 626.)

Council recessed at 12:30 p.m.

**2:10 P.M.**

Council reconvened in Committee Room “A”.

Mayor Lastman took the Chair and called the Members to order.

- 612 Members present at the afternoon session of the first day of this Special Meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Sinclair, Tzekas, Walker - 55.

At this point in the proceedings, Council resolved itself into Committee of the Whole.

- 613 Committee of the Whole recessed at 2:10 p.m. to meet privately to consider the following matters, in accordance with the provisions of the Municipal Act:

- (i) Clause No. 2 of Report No. 3A of The Corporate Services Committee, headed “Retention of Real Estate Consulting Firm in which a Former Employee is a Principal”;
- (ii) Clause No. 2 of Report No. 4A of The Strategic Policies and Priorities Committee, headed “Voluntary Separation Program for Bargaining Unit Employees”; and
- (iii) Clause No. 41 of Report No. 4A of The North York Community Council, headed “UDSP-95-109 - Royal Mansions - 15 - 25 Lorraine Drive”.

**6:18 P.M.**



Committee of the Whole reconvened in the Council Chamber.

Committee of the Whole rose.

Mayor Lastman took the Chair and called the Members to order.

614 At the request of Council, the City Clerk called the Roll at 6:18 p.m., those Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Gardner, Holyday, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Walker - 44.

615 Members present at the first evening session of the first day of this Special Meeting:

Mayor: Lastman.

Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Gardner, Holyday, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Walker - 44.

616 **Clause No. 2 of Report No. 4A of The Strategic Policies and Priorities Committee, headed "Voluntary Separation Program for Bargaining Unit Employees".**  
(See Appendix "A", page 3312.)

Mayor Lastman, in accordance with the provisions of the Municipal Act, reported that the following motions had been moved in Committee of the Whole for consideration by Council in conjunction with the foregoing Clause.

(a) Councillor Rae, in amendment, moved that:

- (1) the foregoing Clause be struck out and referred to the Corporate Services Committee for further consideration; and
- (2) the Chair of the Corporate Services Committee be requested to set up a Personnel Sub-Committee.

- (b) Councillor Layton, in amendment, moved that consideration of the foregoing Clause be deferred until the numerical targets, Department by Department, for staffing reductions affecting employees who would be covered by this policy are available.
- (c) Councillor Miller, in amendment, moved that the foregoing Clause be amended:
- (1) by amending the joint confidential report dated March 25, 1998, from the Executive Director of Human Resources, the Chief Financial Officer and Treasurer and the Chief Administrative Officer, entitled "Separation Program for Bargaining Unit Employees", by:
    - (i) inserting the word "Voluntary" prior to the words "Separation Program" in Recommendation No. (1) and wherever the words occur in the body of the aforementioned report; and
    - (ii) adding thereto the following new recommendations as embodied in the communication dated April 2, 1998, from the Acting President, CUPE, Local 79:
      - "(a) that Members of CUPE, Local 79, receive transition allowances which include out-placement services, tuition assistance and career transition services;
      - (b) that Members of CUPE, Local 79, receive a lump sum payment of up to \$3,000.00; and
      - (c) that Members of CUPE, Local 79, receive four weeks of salary for every year of employment.";
  - (2) by adding thereto the following:

"It is further recommended that the Executive Director of Human Resources and the Chief Financial Officer and Treasurer be requested to submit a report to the Corporate Services Committee with respect to the possibility of OMERS Type 7 and other related OMERS programs being offered to bargaining unit employees."; and
  - (3) to provide that the re-employment prohibition be amended by:
    - (i) deleting the words "Agencies, Boards and Commissions"; and
    - (ii) deleting the words "two years" and inserting in lieu thereof the words "one year".
- (d) Councillor Chow, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) Management retain the right to approve participation in the Voluntary Separation Program; and
- (2) the Chief Administrative Officer and the Executive Director of Human Resources be requested to arrange a briefing for Members of Council on human resources policies and the Executive Director of Human Resources be requested to give consideration to establishing a Human Resources Sub-Committee.”

(e) Councillor Pantalone, in amendment, moved that the foregoing Clause be amended:

- (1) to provide that the policy, at this time, apply only to those bargaining unit positions that are in support of management or supervisory positions; and
- (2) by adding thereto the following:

“It is further recommended that the Executive Director of Human Resources be requested to submit a report to the Corporate Services Committee on whether the policy should apply to other bargaining unit positions.”

(f) Councillor Giansante, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Voluntary Separation Program for Bargaining Unit Employees be offered only for 1998, and the Executive Director of Human Resources be requested to take into consideration all issues raised by Members of Council in the development of the Separation Program for 1999.”

(g) Councillor Moscoe, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Corporate Services be requested to rebalance the Exit Packages with a view to treating management, non-union and bargaining unit staff equally.”

(h) Councillor Mihevc, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) the Voluntary Separation Program for bargaining unit employees be targeted only to increases that will not affect current service levels or Council’s ability to set appropriate service levels when Council makes service level decisions later this year;
  - (2) senior staff make every effort to achieve right-sizing via attrition and voluntary exit packages rather than layoffs; and
  - (3) the Executive Director of Human Resources be requested to submit a report to the Corporate Services Committee on developing options related to a ‘no layoff’ policy.”
- (i) Councillor Cho, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Executive Director of Human Resources and the Chief Financial Officer and Treasurer be requested to provide an interim joint report to Council, through the Corporate Services Committee, in September 1998, on the status of the Voluntary Separation Program.”

Mayor Lastman, having regard to the foregoing motions moved in Committee of the Whole, called upon additional motions with respect thereto.

No additional motions were put.

Upon the question of the adoption of Part (1) of the foregoing motion (a) by Councillor Rae, viz.:

“that:

- (1) the foregoing Clause be struck out and referred to the Corporate Services Committee for further consideration;”,

the vote was taken as follows:

Yeas: Councillors: Berardinetti, Berger, Faubert, Filion, Layton, Mammoliti, McConnell, Moscoe, Rae, Walker - 10.

Nays: Mayor: Lastman.  
Councillors: Altobello, Augimeri, Balkissoon, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Flint, Gardner, Holyday, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, O’Brien, Pantalone, Prue, Saundercook, Sgro, Shaw, Shiner - 35.

Decided in the negative by a majority of 25.

At this point in the proceedings, Mayor Lastman, having regard to the nature of Part (2) of the foregoing motion (a) by Councillor Rae, ruled such Part out of order, viz.:

“that:

- (2) the Chair of the Corporate Services Committee be requested to set up a Personnel Sub-Committee.”

Upon the question of the adoption of the foregoing motion (b) by Councillor Layton, viz.:

“that consideration of the foregoing Clause be deferred until the numerical targets, Department by Department, for staffing reductions affecting employees who would be covered by this policy are available.”,

the vote was taken as follows:

Yeas: Councillors: Augimeri, Bussin, Faubert, Filion, Layton, McConnell, Moscoe, Rae, Walker - 9.

Nays: Mayor: Lastman.  
Councillors: Altobello, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Flint, Gardner, Holyday, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mammoliti, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, O'Brien, Pantalone, Prue, Saundercook, Sgro, Shaw, Shiner - 36.

Decided in the negative by a majority of 25.

Upon the question of the adoption of Part (1)(i) of the foregoing motion (c) by Councillor Miller, viz.:

“that the foregoing Clause be amended:

- (1) by amending the joint confidential report dated March 25, 1998, from the Executive Director of Human Resources, the Chief Financial Officer and Treasurer and the Chief Administrative Officer, entitled ‘Separation Program for Bargaining Unit Employees’, by:
  - (i) inserting the word ‘Voluntary’ prior to the words ‘Separation Program’ in Recommendation No. (1) and wherever the words occur in the body of the aforementioned report;”

it was carried.

Upon the question of the adoption of Part (1)(ii) of the foregoing motion (c) by Councillor Miller, insofar as it pertains to Recommendation (a), viz.:

“that the foregoing Clause be amended:

- (1) by amending the joint confidential report dated March 25, 1998, from the Executive Director of Human Resources, the Chief Financial Officer and Treasurer and the Chief Administrative Officer, entitled ‘Separation Program for Bargaining Unit Employees’, by:
  - (ii) adding thereto the following new recommendation as embodied in the communication dated April 2, 1998, from the Acting President, CUPE, Local 79:
    - ‘(a) that Members of CUPE, Local 79, receive transition allowances which include out-placement services, tuition assistance and career transition services;’ ”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Duguid, Faubert, Flint, Gardner, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Miller, Moscoe, Ootes, O’Brien, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Walker - 36.

Nays: Mayor: Lastman.  
Councillors: Disero, Feldman, Filion, Holyday, Lindsay Luby, Minnan-Wong, Moeser, Nunziata - 9.

Decided in the affirmative by a majority of 25.

Upon the question of the adoption of Part (1)(ii) of the foregoing motion (c) by Councillor Miller, insofar as it pertains to Recommendation (b), viz.:

“that the foregoing Clause be amended:

- (1) by amending the joint confidential report dated March 25, 1998, from the Executive Director of Human Resources, the Chief Financial Officer and Treasurer and the Chief Administrative Officer, entitled ‘Separation Program for Bargaining Unit Employees’, by:
  - (ii) adding thereto the following new recommendation as embodied in the communication dated April 2, 1998, from the Acting President, CUPE, Local 79:

‘(b) that Members of CUPE, Local 79, receive a lump sum payment of up to \$3,000.00;’ ”,

the vote was taken as follows:

Yeas: Councillors: Augimeri, Berardinetti, Bussin, Chow, Layton, McConnell, Miller, Moscoe, Nunziata, Pantalone, Prue, Rae, Walker - 13.

Nays: Mayor: Lastman.  
Councillors: Altobello, Balkissoon, Berger, Bossons, Brown, Cho, Chong, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Gardner, Holyday, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mammoliti, Minnan-Wong, Moeser, Ootes, O’Brien, Saundercook, Sgro, Shaw, Shiner - 32.

Decided in the negative by a majority of 19.

Upon the question of the adoption of Part (1)(ii) of the foregoing motion (c) by Councillor Miller, insofar as it pertains to Recommendation (c), viz.:

“that the foregoing Clause be amended:

(1) by amending the joint confidential report dated March 25, 1998, from the Executive Director of Human Resources, the Chief Financial Officer and Treasurer and the Chief Administrative Officer, entitled ‘Separation Program for Bargaining Unit Employees’, by:

(ii) adding thereto the following new recommendation as embodied in the communication dated April 2, 1998, from the Acting President, CUPE, Local 79:

‘(c) that Members of CUPE, Local 79, receive four weeks of salary for every year of employment.’ ”,

the vote was taken as follows:

Yeas: Councillors: Augimeri, Berardinetti, Bussin, Chow, Layton, McConnell, Miller, Moscoe, Pantalone, Prue, Rae, Walker - 12.

Nays: Mayor: Lastman.  
Councillors: Altobello, Balkissoon, Berger, Bossons, Brown, Cho, Chong, Davis, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Gardner, Holyday, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mammoliti, Minnan-Wong, Moeser, Nunziata, Ootes, O'Brien, Saundercook, Sgro, Shaw, Shiner - 33.

Decided in the negative by a majority of 21.

Upon the question of the adoption of Part (3) of the foregoing motion (c) by Councillor Miller, viz.:

“that the foregoing Clause be amended:

- (3) to provide that the re-employment prohibition be amended by:
  - (i) deleting the words ‘Agencies, Boards and Commissions’; and
  - (ii) deleting the words ‘two years’ and inserting in lieu thereof the words ‘one year’.”,

the vote was taken as follows:

Yeas: Councillors: Augimeri, Bossons, Bussin, Cho, Chow, Faubert, Gardner, Jones, King, Layton, McConnell, Miller, Moscoe, Nunziata, Pantalone, Prue, Rae, Walker - 18.

Nays: Mayor: Lastman.  
Councillors: Altobello, Balkissoon, Berardinetti, Berger, Brown, Chong, Davis, Disero, Duguid, Feldman, Fillion, Flint, Holyday, Kinahan, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mammoliti, Minnan-Wong, Moeser, Ootes, O'Brien, Saundercook, Sgro, Shaw, Shiner - 27.

Decided in the negative by a majority of 9.

Upon the question of the adoption of Part (1) of the foregoing motion (d) by Councillor Chow, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (1) Management retain the right to approve participation in the Voluntary Separation Program;’ ”,

it was carried.



Upon the question of the adoption of the following portion of Part (2) of the foregoing motion (d) by Councillor Chow, viz.:

“that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that:

- (2) the Chief Administrative Officer and the Executive Director of Human Resources be requested to arrange a briefing for Members of Council on human resources policies;’ ”,

it was carried.

At this point in the proceedings, Councillor Korwin-Kuczynski, with the permission of Council, moved that, in accordance with subsection 11(7) of the Council Procedural By-law, Council waive the requirement of the 6:30 p.m. recess, in order to conclude the vote on the foregoing Clause, and that Council reconvene at 8:30 p.m., the vote upon which was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Altobello, Berardinetti, Bossons, Brown, Bussin, Chong, Chow, Davis, Duguid, Faubert, Feldman, Gardner, Jones, King, Korwin-Kuczynski, Layton, Li Preti, Minnan-Wong, Moscoe, Ootes, Prue, Saundercook, Sgro, Shiner - 25.

Nays: Councillors: Augimeri, Balkissoon, Berger, Cho, Disero, Filion, Flint, Holyday, Kinahan, Lindsay Luby, Mammoliti, McConnell, Miller, Moeser, Nunziata, O'Brien, Pantalone, Rae, Shaw, Walker - 20.

Decided in the negative, less than two-thirds of Members present having voted in the affirmative.

At this point in the proceedings, Councillor Korwin-Kuczynski moved that, in accordance with subsection 11(7) of the Council Procedural By-law, Council waive the requirement of the 6:30 p.m. recess, in order to conclude the vote on the foregoing Clause, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Altobello, Balkissoon, Berardinetti, Bossons, Brown, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Gardner, Holyday, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, McConnell, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, O'Brien, Pantalone, Prue, Rae, Sgro, Shaw, Shiner, Walker - 37.

Nays: Councillors: Augimeri, Berger, Bussin, Faubert, Layton, Mammoliti, Miller, Saundercook - 8.

Decided in the affirmative, more than two-thirds of Members present having voted in the affirmative.

Upon the question of the adoption of Part (1) of the foregoing motion (e) by Councillor Pantalone, viz.:

“that the foregoing Clause be amended:

- (1) to provide that the policy, at this time, apply only to those bargaining unit positions that are in support of management or supervisory positions;”

the vote was taken as follows:

Yeas: Councillors: Augimeri, Berger, Bossons, Bussin, Chow, Filion, Jones, Layton, Mammoliti, McConnell, Moscoe, Pantalone, Prue, Rae, Shaw, Walker - 16.

Nays: Mayor: Lastman.  
Councillors: Altobello, Balkissoon, Berardinetti, Brown, Cho, Chong, Davis, Disero, Duguid, Faubert, Feldman, Flint, Gardner, Holyday, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, O'Brien, Saundercook, Sgro, Shiner - 29.

Decided in the negative by a majority of 13.

Upon the question of the adoption of Part (2) of the foregoing motion (e) by Councillor Pantalone, viz.:

“that the foregoing Clause be amended:

- (2) by adding thereto the following:

‘It is further recommended that the Executive Director of Human Resources be requested to submit a report to the Corporate Services Committee on whether the policy should apply to other bargaining unit positions.’ ”

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Augimeri, Berardinetti, Berger, Bossons, Bussin, Chow, Duguid, Faubert, Jones, Layton, Mammoliti, McConnell, Miller, Nunziata, O'Brien, Pantalone, Rae, Shaw - 19.

Nays: Councillors: Altobello, Balkissoon, Brown, Cho, Chong, Davis, Disero, Feldman, Filion, Flint, Gardner, Holyday, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Minnan-Wong, Moeser, Moscoe, Ootes, Prue, Saundercook, Sgro, Shiner, Walker - 26.

Decided in the negative by a majority of 7.

At this point in the proceedings, Councillor Chow, with the permission of Council, withdrew the following portion of Part (2) of her foregoing motion (d), viz.:

“and the Executive Director of Human Resources be requested to give consideration to establishing a Human Resources Sub-Committee”.

Upon the question of the adoption of the foregoing motion (f) by Councillor Giansante, and, in the absence of Councillor Giansante moved by Councillor Lindsay Luby, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that the Voluntary Separation Program for Bargaining Unit Employees be offered only for 1998, and the Executive Director of Human Resources be requested to take into consideration all issues raised by Members of Council in the development of the Separation Program for 1999.’ ”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Duguid, Feldman, Filion, Holyday, Jones, Kinahan, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Miller, Moeser, Moscoe, Nunziata, O’Brien, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Walker - 34.

Nays: Mayor: Lastman.  
Councillors: Davis, Disero, Faubert, Flint, Gardner, King, Korwin-Kuczynski, Minnan-Wong, Ootes, Sgro - 11.

Decided in the affirmative by a majority of 23.

Upon the question of the adoption of Part (2) of the foregoing motion (c) by Councillor Miller, viz.:

“that the foregoing Clause be amended:

(2) by adding thereto the following:

‘It is further recommended that the Executive Director of Human Resources and the Chief Financial Officer and Treasurer be requested to submit a report to the Corporate Services Committee with respect to the possibility of OMERS Type 7 and other related OMERS programs being offered to bargaining unit employees.’ ”,

the vote was taken as follows:

Yeas: Councillors: Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Chow, Davis, Duguid, Faubert, Jones, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Miller, Moscoe, O’Brien, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Walker - 28.

Nays: Mayor: Lastman.  
Councillors: Altobello, Cho, Chong, Disero, Feldman, Filion, Flint, Gardner, Holyday, Kinahan, King, Lindsay-Luby, Minnan-Wong, Moeser, Nunziata, Ootes - 17.

Decided in the affirmative by a majority of 11.

Upon the question of the adoption of the foregoing motion (g) by Councillor Moscoe, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that the Commissioner of Corporate Services be requested to rebalance the Exit Packages with a view to treating management, non-union and bargaining unit staff equally.’ ”,

the vote was taken as follows:

Yeas: Councillors: Augimeri, Berardinetti, Berger, Bussin, Chow, Duguid, Faubert, Layton, Mammoliti, McConnell, Miller, Moscoe, Nunziata, Pantalone, Prue, Rae, Shaw, Walker - 18.

Nays: Mayor: Lastman.  
Councillors: Altobello, Balkissoon, Bossons, Brown, Cho, Chong, Davis, Disero, Feldman, Filion, Flint, Gardner, Holyday, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Minnan-Wong, Moeser, Ootes, O’Brien, Saundercook, Sgro, Shiner - 27.

Decided in the negative by a majority of 9.

Upon the question of the adoption of Part (1) of the foregoing motion (h) by Councillor Mihevc, and, in the absence of Councillor Mihevc, moved by Councillor Pantalone, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (1) the Voluntary Separation Program for bargaining unit employees be targeted only to increases that will not affect current service levels or Council’s ability to set appropriate service levels when Council makes service level decisions later this year;’ ”,

it was carried.

Upon the question of the adoption of Part (2) of the foregoing motion (h) by Councillor Mihevc, and, in the absence of Councillor Mihevc, moved by Councillor Pantalone, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (2) senior staff make every effort to achieve right-sizing via attrition and voluntary exit packages rather than layoffs;’ ”,

it was carried.

Upon the question of the adoption of Part (3) of the foregoing motion (h) by Councillor Mihevc, and, in the absence of Councillor Mihevc, moved by Councillor Pantalone, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (3) the Executive Director of Human Resources be requested to submit a report to the Corporate Services Committee on developing options related to a “no layoff” policy.’ ”,

the vote was taken as follows:

Yeas: Councillors: Augimeri, Berardinetti, Berger, Bussin, Chow, Davis, Disero, Duguid, Faubert, Fillion, Jones, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Miller, Moscoe, Nunziata, Pantalone, Prue, Rae, Walker - 24.

Nays: Mayor: Lastman.

Councillors: Altobello, Balkissoon, Bossons, Brown, Cho, Chong, Feldman, Flint, Gardner, Holyday, King, Lindsay Luby, Minnan-Wong, Moeser, O'Brien, Ootes, Saundercook, Sgro, Shaw, Shiner - 21.

Decided in the affirmative by a majority of 3.

Upon the question of the adoption of the foregoing motion (i) by Councillor Cho, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that the Executive Director of Human Resources and the Chief Financial Officer and Treasurer be requested to provide an interim joint report to Council, through the Corporate Services Committee, in September 1998, on the status of the Voluntary Separation Program.’ ”,

it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, viz.:

“that the foregoing Clause be amended by:

(1) amending the joint confidential report dated March 25, 1998, from the Executive Director of Human Resources, the Chief Financial Officer and Treasurer, and the Chief Administrative Officer, entitled ‘Separation Program for Bargaining Unit Employees’, by:

(a) inserting the word ‘Voluntary’ prior to the words ‘Separation Program’ in Recommendation No. (1) and wherever the words occur in the body of the aforementioned report; and

(b) adding thereto the following new recommendation as embodied in the communication dated April 2, 1998, from the Acting President, CUPE, Local 79:

‘That Members of CUPE, Local 79, receive transition allowances which include out-placement services, tuition assistance and career transition services.’;

so that the recommendations embodied in the joint confidential report shall now read as follows:

'It is recommended that:

- (1) Council adopt the Voluntary Separation Program for Bargaining Unit Employees;
  - (2) this program replace all separation or exit programs, policies and practices in the former municipalities;
  - (3) all bargaining unit employees of the (new) City of Toronto be advised that separation or exit programs, policies and practices which may have been in place in the former municipalities are no longer in force;
  - (4) the previously established Reserve for Workforce Reduction initially accommodate the funding of this strategy;
  - (5) the Chief Administrative Officer, Chief Financial Officer and Treasurer, and the Executive Director of Human Resources be authorized to take all the necessary steps to implement these actions as part of the Workforce Reduction Strategy; and
  - (6) Members of CUPE, Local 79, receive transition allowances which include out-placement services, tuition assistance and career transition services.'; and
- (2) adding thereto the following:

'It is further recommended that:

- (1) the Voluntary Separation Program for Bargaining Unit Employees be offered only for 1998, and the Executive Director of Human Resources be requested to take into consideration all issues raised by Members of Council in the development of the Separation Program for 1999;
- (2) Management retain the right to approve participation in the Voluntary Separation Program;
- (3) the Voluntary Separation Program for Bargaining Unit Employees be targeted only to increases that will not affect current service levels or Council's ability to set appropriate service levels when Council makes service level decisions later this year;
- (4) senior staff make every effort to achieve right-sizing through attrition and voluntary exit packages rather than layoffs;

- 
- (5) the Chief Administrative Officer and the Executive Director of Human Resources be requested to arrange a briefing for Members of Council on human resources policies;
  - (6) the Executive Director of Human Resources and the Chief Financial Officer and Treasurer be requested to:
    - (a) submit a report to the Corporate Services Committee with respect to the possibility of OMERS Type 7 and other related OMERS programs being offered to bargaining unit employees; and
    - (b) provide an interim joint report to Council, through the Corporate Services Committee, in September 1998, on the status of the Voluntary Separation Program; and
  - (7) the Executive Director of Human Resources be requested to submit a report to the Corporate Services Committee on developing options related to a “no layoff” policy.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
 Councillors: Altobello, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Flint, Gardner, Holyday, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mammoliti, McConnell, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner - 39.

Nays: Councillors: Augimeri, Bussin, Filion, Layton, Miller, Walker - 6.

Decided in the affirmative by a majority of 33.

617 Councillor McConnell, seconded by Councillor Korwin-Kuczynski, moved that leave be granted to introduce:

“Bill No. 217 To confirm the first portion of the proceedings of the Council at its Special Meeting held on the 28th day of April, 1998.”,

which was carried.

Upon the question, “Shall this Bill, prepared for this Special Meeting of Council, be passed and hereby declared as a By-law?”, as follows:



“By-law No. 213-1998 To confirm the first portion of the proceedings of the Council at its Special Meeting held on the 28th day of April, 1998.”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Gardner, Holyday, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Walker - 44.

Nay: Councillor: Miller -1.

Decided in the affirmative by a majority of 43.

Council recessed at 6:40 p.m.

**8:15 P.M.**

Council recovered.

Mayor Lastman took the Chair and called the Members to order.

618 At the request of Council, the City Clerk called the Roll at 8:15 p.m., those Members present at the call of the Roll being:

Mayor: Lastman.  
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Cho, Chow, Disero, Duguid, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mihevc, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Rae, Saundercook, Shaw, Shiner, Silva, Walker - 36.

619 Members present at the second evening session of the first day of this Special Meeting:

Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 56.

620 **Clause No. 2 of Report No. 3A of The Corporate Services Committee, headed “Retention of Real Estate Consulting Firm in which a Former Employee is a Principal”.**

(See Appendix “A”, page 3217.)

Council also had before it, during consideration of the foregoing Clause, a copy of a confidential communication (April 28, 1998) addressed to the Commissioner of Corporate Services, from the Chief General Manager, Toronto Transit Commission.

Mayor Lastman, in accordance with the provisions of the Municipal Act, reported that the following motions had been moved in Committee of the Whole for consideration by Council in conjunction with the foregoing Clause.

(a) Councillor Miller, in amendment, moved that the foregoing Clause be amended to provide that the contract with Johnston Donald be continued with respect to City business until June 30, 1998, and with respect to the Sheppard Subway purchases, until the contracts currently underway are completed.

(b) Councillor Shiner, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that no new files be given to Johnston Donald and no additional funds in excess of the amounts identified in the confidential report dated March 19, 1998, from the Commissioner of Corporate Services, be expended without further approval of City Council.”

(c) Mayor Lastman, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that issues related to the contract with Johnston Donald, as identified by Council at its in-camera meeting, be referred to the Chief Administrative Officer, with a request that he, in consultation with the City Solicitor, report thereon to the next meeting of the Corporate Services Committee.”

Mayor Lastman, having regard to the foregoing motions moved in Committee of the Whole, called upon additional motions with respect thereto.

No additional motions were put.

Upon the question of the adoption of the foregoing motion (a) by Councillor Miller, it was carried.

Upon the question of the adoption of the foregoing motion (b) by Councillor Shiner, it was carried.

Upon the question of the adoption of the foregoing motion (c) by Mayor Lastman, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, viz.:

“that the foregoing Clause be amended:

- (1) to provide that the contract with Johnston Donald be continued with respect to City business until June 30, 1998, and with respect to the Sheppard Subway purchases, until the contracts currently underway are completed; and
- (2) by adding thereto the following:

‘It is further recommended that:

- (a) no new files be given to Johnston Donald and no additional funds in excess of the amounts identified in the confidential report dated March 19, 1998, from the Commissioner of Corporate Services, be expended without further approval of City Council; and
- (b) issues related to the contract with Johnston Donald, as identified by Council at its in-camera meeting, be referred to the Chief Administrative Officer, with a request that he, in consultation with the City Solicitor, report thereon to the next meeting of the Corporate Services Committee.’ ”,

it was carried.

621 **Clause No. 41 of Report No. 4A of The North York Community Council, headed “UDSP-95-109 - Royal Mansions - 15 - 25 Lorraine Drive”.**  
(See Appendix “A”, page 3378.)

Council also had before it, during consideration of the foregoing Clause, a confidential joint report (April 15, 1998) from the City Solicitor and the Commissioner, Urban Planning and Development Services, recommending that the foregoing Clause be received.

Mayor Lastman, in accordance with the provisions of the Municipal Act, reported that the following motion had been moved in Committee of the Whole for consideration by Council in conjunction with the foregoing Clause.

- (a) Councillor Sgro, in amendment, moved that the foregoing Clause be amended by striking out the recommendation of the North York Community Council and inserting in lieu thereof the following recommendations embodied in the joint confidential report dated April 15, 1998, from the City Solicitor and the Commissioner, Urban Planning and Development Services, viz.:

“It is recommended that:

- (1) this report be received as information; and
- (2) Item 41 of North York Community Council Report No. 4 be received.”

Mayor Lastman, having regard to the foregoing motion moved in Committee of the Whole, called upon additional motions with respect thereto.

- (b) Councillor Filion, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Urban Planning and Development Services be requested to submit a report to the Urban Environment and Development Committee on best practices for the issuance of building permits.”

Mayor Lastman gave the Chair to Deputy Mayor Ootes, and vacated the Chair.

Mayor Lastman resumed the Chair.

Upon the question of the adoption of the foregoing motion (a) by Councillor Sgro, the vote was taken as follows:

- Yeas: Mayor: Lastman.  
Councillors: Ashton, Balkissoon, Berger, Cho, Chong, Disero, Duguid, Feldman, Gardner, Giansante, Holyday, King, Lindsay Luby, Li Preti, Mammoliti, Ootes, Pantalone, Prue, Saundercook, Sgro, Shaw, Shiner, Sinclair - 24.
- Nays: Councillors: Adams, Augimeri, Bossons, Bussin, Chow, Davis, Faubert, Filion, Flint, Jakobek, Johnston, Jones, Kinahan, Layton, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Rae, Silva, Walker - 22.

Decided in the affirmative by a majority of 2.

Upon the question of the adoption of the foregoing motion (b) by Councillor Filion, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

- 622 **Clause No. 6 of Report No. 4A of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Other Items Considered by the Committee”.**  
(See Appendix “A”, page 3404.)

Upon the question of the receipt for information of the foregoing Clause, without amendment, it was carried.

- 623 **Clause No. 47 of Report No. 3A of The Toronto Community Council, headed “Settlement of Objection to By-law No. 1994-0601 - Definitions of Club, Concert Hall, Place of Amusement, Place of Assembly and Related Requirements (All Wards in the Former City of Toronto)”.**  
(See Appendix “A”, page 3382.)

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

- 624 At this point in the proceedings, Councillor Jakobek moved that, in accordance with subsection 11(7) of the Council Procedural By-law, Council waive the requirement of the 10:00 p.m. recess, and that Council continue in session until 11:00 p.m., the vote upon which was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Balkissoon, Cho, Davis, Disero, Feldman, Flint, Giansante, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Minnan-Wong, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Rae, Saundercook, Shaw, Shiner, Silva - 26.

Nays: Councillors: Adams, Ashton, Augimeri, Berger, Bossons, Bussin, Chong, Chow, Duguid, Faubert, Filion, Gardner, Johnston, Jones, Kinahan, Layton, Li Preti, McConnell, Mihevc, Miller, Prue, Sgro, Sinclair, Walker - 24.

Decided in the negative, less than two-thirds of Members present having voted in the affirmative.

Councillor Kelly moved that, in accordance with subsection 11(7) of the Council Procedural By-law, Council waive the requirement of the 10:00 p.m. recess, in order to permit consideration of Clause No. 1 of Report No. 1A of The Nominating Committee, headed “Appointments to the Board of Directors of the Greater Toronto Airports Authority (GTAA)”, immediately following Council’s consideration of Clause No. 1 of Report No. 4A of The Urban Environment and Development Committee, headed “Ward Boundary Review Process”, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Balkissoon, Berger, Cho, Davis, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Minnan-Wong, Nunziata, O’Brien, Ootes, Saundercook, Shaw, Shiner, Silva, Sinclair - 27.

Nays: Councillors: Adams, Altobello, Ashton, Augimeri, Bossons, Bussin, Chong, Chow, Faubert, Filion, Johnston, Jones, Kinahan, Layton, Li Preti,

McConnell, Mihevc, Miller, Moscoe, Pantalone, Prue, Rae, Sgro, Walker -24.

Decided in the negative, less than two-thirds of Members present having voted in the affirmative.

Councillor Pantalone moved that, in accordance with subsection 11(7) of the Council Procedural By-law, Council waive the requirement of the 10:00 p.m. recess, and that Council conclude its consideration of Clause No. 1 of Report No. 4A of The Urban Environment and Development Committee, headed "Ward Boundary Review Process", the vote upon which was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Cho, Chow, Davis, Disero, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Minnan-Wong, Nunziata, O'Brien, Ootes, Pantalone, Rae, Saundercook, Sgro, Shaw, Silva, Walker - 31.

Nays: Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berger, Bossons, Bussin, Chong, Duguid, Faubert, Feldman, Johnston, Jones, Kinahan, Layton, Miller, Moscoe, Prue, Shiner, Sinclair - 20.

Decided in the negative, less than two-thirds of Members present having voted in the affirmative.

At this point in the proceedings, Councillor Chong moved that Council vary the order of its proceedings to now consider Clause No. 1 of Report No. 1A of The Nominating Committee, headed "Appointments to the Board of Directors of the Greater Toronto Airports Authority (GTAA)", the vote upon which was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Balkissoon, Berger, Cho, Chong, Davis, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Jakobek, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Minnan-Wong, Ootes, Saundercook, Shaw, Shiner, Silva, Sinclair - 25.

Nays: Councillors: Adams, Altobello, Ashton, Augimeri, Bossons, Bussin, Chow, Faubert, Filion, Holyday, Johnston, Jones, Kinahan, Layton, Li Preti, McConnell, Mihevc, Miller, Moscoe, Nunziata, O'Brien, Pantalone, Prue, Rae, Sgro, Walker - 26.

Decided in the negative by a majority of 1.

625 At this point in the proceedings, and with the permission of Council, Councillor Shiner, seconded by Councillor Ashton, moved that leave be granted to introduce:

“Bill No. 216 To appoint and delineate certain duties and responsibilities of the Commissioner responsible for economic development, culture and tourism.”,

which was carried.

Upon the question, “Shall this Bill, prepared for this Special Meeting of Council, be passed and hereby declared as a By-law?”, as follows:

“By-law No. 214-1998 To appoint and delineate certain duties and responsibilities of the Commissioner responsible for economic development, culture and tourism.”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Bussin, Cho, Chong, Chow, Davis, Duguid, Faubert, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, O’Brien, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 48.

Nays: Councillor: Bossons - 1.

Decided in the affirmative by a majority of 47.

626 Council resumed its consideration of Clause No. 1 of Report No. 4A of The Urban Environment and Development Committee, headed “Ward Boundary Review Process”. (See also Minutes Nos. 608 and 611.)

(h) Councillor O’Brien, in amendment, moved that the foregoing motion (d) by Councillor Ootes be amended to provide that the City Clerk and the Commissioner of Urban Planning and Development Services be requested to submit a report outlining the public consultation process to the Urban Environment and Development Committee, through the Community Councils, such process to commence in time for completion by the end of 1999.

(i) Councillor Johnston, in amendment, moved that the foregoing Clause be amended to provide that consideration of Recommendation No. (5) embodied in the joint report dated March 12, 1998, from the City Clerk and the Commissioner of Urban Planning and Development Services, be deferred until the public consultation process has been completed.

Council deferred further consideration of the foregoing Clause until later in the meeting. (See Minute No. 630.)

- 627 Councillor McConnell, seconded by Councillor Walker, moved that leave be granted to introduce:

“Bill No. 221 To confirm the second portion of the proceedings of the Council at its Special Meeting held on the 28th day of April, 1998.”,

which was carried.

Upon the question, “Shall this Bill, prepared for this Special Meeting of Council, be passed and hereby declared as a By-law?”, as follows:

“By-law No. 215-1998 To confirm the second portion of the proceedings of the Council at its Special Meeting held on the 28th day of April, 1998.”,

it was carried, without dissent.

Council recessed at 10:00 p.m. to reconvene at 9:30 a.m. on Friday, May 1, 1998.

#### **FRIDAY, MAY 1, 1998, 9:45 A.M.**

Council reconvened.

Mayor Lastman took the Chair and called the Members to order.

- 628 At the request of Council, the City Clerk called the Roll at 9:45 a.m., those Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Adams, Altobello, Augimeri, Balkissoon, Berger, Bossons, Brown, Bussin, Cho, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moeser, Moscoe, Nunziata, Ootes, O’Brien, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Walker - 43.

- 629 Members present at the morning session of the second day of this Special Meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 53.



Council resumed its consideration of the various Reports of the Standing Committees and the Community Councils.

630 Council resumed its consideration of Clause No. 1 of Report No. 4A of The Urban Environment and Development Committee, headed "Ward Boundary Review Process". (See also Minutes Nos. 608, 611 and 626.)

(j) Councillor Layton, in amendment, moved that Part (2) of the foregoing motion (f) by Councillor Bossons be amended to provide that the requested report include comment on the impact the "10 percent option" would have on the boundaries and size of Community Councils.

At this point in the proceedings, Councillor Jakobek moved that Section 23 of the Council Procedural By-law be waived and that he be permitted to again speak to this matter, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Augimeri, Berger, Brown, Chow, Holyday, Jakobek, King, Minnan-Wong, Nunziata, O'Brien, Prue, Sgro, Shaw, Sinclair - 15.

Nays: Councillors: Altobello, Balkissoon, Berardinetti, Bossons, Bussin, Cho Chong, Davis, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Giansante, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Ootes, Pantalone, Rae, Saundercook, Shiner, Silva, Walker - 36.

Decided in the negative, less than two-thirds of Members present having voted in the affirmative.

Upon the question of the adoption of the foregoing motion (g) by Councillor Kinahan, viz.:

"that the foregoing motion (d) by Councillor Ootes be amended by adding thereto the following:

'and the public consultation process deal with, firstly and separately, the issue of whether there should be one Councillor per Ward'.",

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Altobello, Augimeri, Balkissoon, Bossons, Bussin, Chow, Johnston, Jones, Kinahan, Layton, McConnell, Miller, Minnan-Wong, Moscoe, Prue, Shaw, Sinclair, Walker - 19.

Nays: Councillors: Adams, Berardinetti, Berger, Brown, Cho, Chong, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mammoliti, Mihevc, Moeser, Nunziata, Ootes, O'Brien, Pantalone, Rae, Saundercook, Sgro, Shiner, Silva - 33.

Decided in the negative by a majority of 14.

Upon the question of the adoption of the foregoing motion (h) by Councillor O'Brien, viz.:

“that the foregoing motion (d) by Councillor Ootes be amended to provide that the City Clerk and the Commissioner of Urban Planning and Development Services be requested to submit a report outlining the public consultation process to the Urban Environment and Development Committee, through the Community Councils, such process to commence in time for completion by the end of 1999.”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Altobello, Augimeri, Berger, Brown, Duguid, Holyday, Johnston, Kinahan, King, Miller, Minnan-Wong, Moscoe, Ootes, O'Brien, Prue, Shaw, Sinclair, Walker - 19.

Nays: Councillors: Adams, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Jakobek, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Moeser, Nunziata, Pantalone, Rae, Saundercook, Sgro, Shiner, Silva - 33.

Decided in the negative by a majority 14.

Upon the question of the adoption of the foregoing motion (d) by Councillor Ootes, without amendment, viz.:

“that the foregoing Clause be amended by striking out and referring Recommendations Nos. (1) and (5) embodied in the joint report dated March 12, 1998, from the City Clerk and the Commissioner of Urban Planning and Development Services, back to the Urban Environment and Development Committee for further consideration in late 1999 or early 2000.”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Augimeri, Berger, Holyday, Johnston, Kinahan, Miller, Moscoe, Ootes, Shaw, Sinclair, Walker - 12.

Nays: Councillors: Adams, Altobello, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Jakobek, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Nunziata, O'Brien, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva - 40.

Decided in the negative by a majority of 28.

Upon the question of the adoption of the foregoing motion (i) by Councillor Johnston, viz.:

“that the foregoing Clause be amended to provide that consideration of Recommendation No. (5) embodied in the joint report dated March 12, 1998, from the City Clerk and the Commissioner of Urban Planning and Development Services, be deferred until the public consultation process has been completed.”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Augimeri, Balkissoon, Berger, Bossons, Brown, Bussin, Chow, Feldman, Giansante, Holyday, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Miller, Moscoe, Ootes, O'Brien, Prue, Sgro, Shaw, Sinclair, Walker - 26.

Nays: Mayor: Lastman.  
Councillors: Adams, Berardinetti, Cho, Chong, Davis, Disero, Duguid, Faubert, Filion, Flint, Fotinos, Jakobek, King, Li Preti, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Nunziata, Pantalone, Rae, Saundercook, Shiner, Silva - 26.

Decided in the negative, there being an equality of votes.

At this point in the proceedings, Councillor Mammoliti, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, the foregoing vote be re-opened for further consideration, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Altobello, Augimeri, Berger, Bossons, Brown, Bussin, Giansante, Holyday, Johnston, Jones, Kinahan, Layton, Mammoliti, Miller, Moscoe, Ootes, O'Brien, Prue, Shaw, Sinclair, Walker - 22.

Nays: Councillors: Adams, Balkissoon, Berardinetti, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Jakobek, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, McConnell, Mihevc, Minnan-Wong, Moeser, Nunziata, Pantalone, Rae, Saundercook, Sgro, Shiner, Silva - 30.

Decided in the negative, less than two-thirds of Members present having voted in the affirmative.

Upon the question of the adoption of the foregoing motion (a) by Councillor Bussin, viz.:

“that the foregoing Clause be amended by deleting Recommendation No. (5) embodied in the joint report dated March 12, 1998, from the City Clerk and the Commissioner of Urban Planning and Development Services.”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Augimeri, Bussin, Holyday, Johnston, Kinahan, Layton, Miller, Moscoe, Ootes, Prue, Shaw, Sinclair, Walker - 14.

Nays: Mayor: Lastman.  
Councillors: Adams, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Jakobek, Jones, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Nunziata, O'Brien, Pantalone, Rae, Saundercook, Sgro, Shiner, Silva - 38.

Decided in the negative by a majority of 24.

Upon the question of the adoption of the first Operative Paragraph embodied in the foregoing motion (c) by Councillor Nunziata, viz.:

“that the foregoing Clause be amended by striking out the recommendation of the Urban Environment and Development Committee and inserting in lieu thereof the following:

‘It is recommended that:

**WHEREAS** the Toronto Transition Team recommended that there be only one Councillor per ward representation for the next term of Council that begins in 2001; and

**WHEREAS** one Councillor per ward can effectively represent each constituency, similar to an MP or MPP; and

**WHEREAS** the reduction of the size of the City of Toronto Council by 50 percent would provide significant cost-savings to the taxpayers;

**NOW THEREFORE BE IT RESOLVED THAT** Recommendation No. (21) of the Final Report of the Toronto Transition Team pertaining to one Councillor per ward representation be endorsed by Council;”,

the vote was taken as follows:

Yeas: Councillors: Holyday, Jakobek, Minnan-Wong, Nunziata, O'Brien - 5.

Nays: Mayor: Lastman.

Councillors: Adams, Altobello, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 45.

Decided in the negative by a majority of 40.

Mayor Lastman, having regard to the foregoing decision of Council, ruled the following portion of the foregoing motion (c) by Councillor Nunziata, redundant:

“**AND BE IT FURTHER RESOLVED THAT** Council now refer this issue to the Urban Environment and Development Committee, which shall direct and oversee appropriate staff in preparing a report on the measures needed to be implemented, in order to ensure that Council can effectively move to single-member wards for the next term of Council.”

At this point in the proceedings, Councillor Layton, with the permission of Council, withdrew his foregoing motion (j), viz.:

“that Part (2) of the foregoing motion (f) by Councillor Bossons be amended to provide that the requested report include comment on the impact the “10 percent option” would have on the boundaries and size of Community Councils.”

At this point in the proceedings, Councillor Bossons, with the permission of Council, withdrew Part (2) of her foregoing motion (f), viz.:

“that the foregoing Clause be amended by:

- (2) striking out and referring back to the City Clerk and the Commissioner of Urban Planning and Development Services the following portion of Recommendation No. (2) embodied in the joint report dated March 12, 1998, from the City Clerk and the Commissioner of Urban Planning and Development Services:

‘and that variations in average Ward populations of plus or minus 25 percent be accepted as the norm’,

with a request that variations of plus or minus 25 percent and plus or minus 10 percent be studied and a report thereon be submitted to the Urban Environment and Development Committee.”

Upon the question of the adoption of the foregoing motion (e) by Councillor Prue, viz.:

“that the foregoing Clause be amended by deleting from Recommendation No. (2) embodied in the joint report dated March 12, 1998, from the City Clerk and the Commissioner of Urban Planning and Development Services, the number ‘25’, and inserting in lieu thereof the number ‘10’.”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Berardinetti, Cho, Faubert, Fotinos, Jakobek, Jones, Kinahan, Minnan-Wong, Moscoe, Nunziata, O’Brien, Prue, Shaw - 15.

Nays: Councillors: Altobello, Augimeri, Balkissoon, Berger, Bossons, Brown, Bussin, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Giansante, Holyday, Johnston, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moeser, Ootes, Pantalone, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Walker - 37.

Decided in the negative by a majority of 22.

Upon the question of the adoption of Part (1) of the foregoing motion (f) by Councillor Bossons, viz.:

“that the foregoing Clause be amended by:

(1) striking out Recommendation No. (8) embodied in the joint report dated March 12, 1998, from the City Clerk and the Commissioner of Urban Planning and Development Services, and inserting in lieu thereof the following:

‘(8) Community Councils be requested to hold meetings to invite the public’s input on the matter of ward boundaries, ward division and governance, and report thereon through the Urban Environment and Development Committee;’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Augimeri, Balkissoon, Berger, Bossons, Brown, Bussin, Cho, Chow, Faubert, Feldman, Filion, Giansante, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Miller, Minnan-Wong, Moeser, Moscoe, O'Brien, Prue, Sgro, Shaw, Walker - 32.

Nays: Councillors: Berardinetti, Chong, Davis, Disero, Duguid, Flint, Fotinos, Holyday, Jakobek, King, Li Preti, Mihevc, Nunziata, Ootes, Pantalone, Rae, Saundercook, Shiner, Silva, Sinclair - 20.

Decided in the affirmative by a majority of 12.

Upon the question of the adoption of Part (1) of the foregoing motion (b) by Councillor Pantalone, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (1) the report dated April 16, 1998, from the City Clerk embodying the following recommendation, be adopted:

“It is recommended that Council determine that the petition is not properly before Council.” ’ ”,

it was carried.

Upon the question of the adoption of Part (2) of the foregoing motion (b) by Councillor Pantalone, viz.:

“that the foregoing Clause be amended by:

- (2) deleting Recommendation No. (6) embodied in the joint report dated March 12, 1998, from the City Clerk and the Commissioner of Urban Planning and Development Services, and inserting in lieu thereof the following:

‘(6) the appropriate staff develop plans which give effect to City Council’s decision that there will be three Councillors from East York;’ ”,

the vote was taken as follows:

- Yeas: Mayor: Lastman.  
Councillors: Adams, Augimeri, Berardinetti, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Filion, Flint, Fotinos, Johnston, Jones, King, Layton, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Shaw, Silva, Sinclair, Walker - 32.
- Nays: Councillors: Altobello, Balkissoon, Berger, Bossons, Brown, Davis, Feldman, Giansante, Holyday, Jakobek, Kinahan, Korwin-Kuczynski, Lindsay Luby, Li Preti, Minnan-Wong, Moeser, O'Brien, Saundercook, Sgro, Shiner - 20.

Decided in the affirmative by a majority of 12.

Upon the question of the adoption of the foregoing Clause, as amended, viz.:

“That the foregoing Clause be amended by:

- (1) striking out Recommendations Nos. (6) and (8) embodied in the joint report dated March 12, 1998, from the City Clerk and the Commissioner of Urban Planning and Development Services and inserting in lieu thereof the following:
  - ‘(6) the appropriate staff develop plans which give effect to City Council’s decision that there will be three Councillors from East York;
  - (8) Community Councils be requested to hold meetings to invite the public’s input on the matter of ward boundaries, ward division and governance, and report thereon through the Urban Environment and Development Committee;’,

so that the recommendations embodied in the joint report dated March 12, 1998, from the City Clerk and the Commissioner of Urban Planning and Development Services, shall now read as follows:

‘It is recommended that:

- (1) the City Solicitor be authorized to request from the Minister of Municipal Affairs and Housing amendments to the City of Toronto Act, 1997 to permit single member ward representation within the City of Toronto and to allow for increases or decreases in the overall size of City Council;
- (2) the four commonly accepted principles on which ward boundaries options are to be evaluated be approved and that variations in average



- ward populations of plus or minus 25 percent be accepted as the norm;
- (3) a Staff Working Group with representation from Clerk's, Legal, Planning, Economic Development, Social Development and Corporate Policy and Planning be created to co-ordinate the process, liaise with Members of Council, and undertake the necessary research;
  - (4) existing ward boundaries within the new City of Toronto be used as the basis for the new ward boundaries, with minor refinements where needed;
  - (5) Council indicate its support for the principle that each of the existing City wards be divided in two, thus enabling election of a single Councillor per ward at the next municipal election in the year 2000;
  - (6) the appropriate staff develop plans which give effect to City Council's decision that there will be three Councillors from East York;
  - (7) the process and timeline outlined for refining existing boundaries and dividing wards be approved for implementation;
  - (8) Community Councils be requested to hold meetings to invite the public's input on the matter of ward boundaries, ward division and governance, and report thereon through the Urban Environment and Development Committee; and
  - (9) the appropriate City officials be authorized to give effect hereto.'; and
- (2) adding thereto the following:

'It is further recommended that the report dated April 16, 1998, from the City Clerk embodying the following recommendation, be adopted:

"It is recommended that Council determine that the petition is not properly before Council." ' ' ",

the vote was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Adams, Altobello, Balkissoon, Berardinetti, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Faubert, Feldman, Filion, Fotinos, Giansante, Holyday, Jakobek, Jones, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, McConnell, Mihevc, Moeser, Nunziata, O'Brien, Pantalone, Rae, Sgro, Shiner, Silva - 34.

Nays: Councillors: Augimeri, Berger, Bussin, Davis, Flint, Johnston, Kinahan, Layton, Mammoliti, Miller, Minnan-Wong, Moscoe, Ootes, Prue, Saundercook, Shaw, Sinclair, Walker - 18.

Decided in the affirmative by a majority of 16.

- 631 **Item (ff), entitled “Park Drive Ravine, Ontario Municipal Board Decision, Dismissal of Two Appeals to Zoning By-law No. 1997-0369 (Midtown)”, as embodied in Clause No. 96 of Report No. 3A of The Toronto Community Council, headed “Other Items Considered by the Community Council”.**  
(See Appendix “A”, page 3384.)

Council also had before it, during consideration of the foregoing Clause, the Ontario Municipal Board Decision issued December 16, 1997, dismissing two appeals to Zoning By-law No. 1997-0369 (Midtown), submitted by Councillor Adams.

Upon the question of the receipt for information of the foregoing Clause, without amendment, Councillor Adams, in amendment, moved that Item (ff) entitled “Park Drive Ravine, Ontario Municipal Board Decision, Dismissal of Two Appeals to Zoning By-law No. 1997-0369 (Midtown)”, embodied in the foregoing Clause, be struck out and referred back to the Toronto Community Council for further consideration.

At this point in the proceedings, Councillor Sgro, with the permission of Council, moved that, in accordance with Section 27 of the Council Procedural By-law, subsections 28(1) and (2) of said By-law be waived to permit consideration of the following Notice of Motion:

**Moved by: Councillor Sgro**

**Seconded by: Councillor Brown**

“**WHEREAS** on April 1, 1998, Toronto Community Council received Report No. 3, Clause No. 96 - ‘Other Items Considered by the Community Council’, Item (ff) dealing with ‘Park Drive Ravine, Ontario Municipal Board, Dismissal of Two Appeals to Zoning By-law No. 1997-0369 (Midtown)’; and

**WHEREAS** there are serious legal and financial implications for the new City of Toronto; and

**WHEREAS** the issues surrounding this matter are complex and require additional information;

**NOW THEREFORE BE IT RESOLVED THAT** Council refer this Item to the Corporate Services Committee for consideration at its May meeting;

**AND BE IT FURTHER RESOLVED THAT** Legal, Planning, Real Estate, Parks Divisions and the Toronto and Region Conservation Authority forward their reports to the May meeting.”,

the vote upon which was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Augimeri, Balkissoon, Berger, Brown, Cho, Chong, Davis, Duguid, Faubert, Feldman, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, King, Lindsay Luby, Li Preti, Mammoliti, Nunziata, Ootes, O'Brien, Saundercook, Sgro, Shaw, Shiner, Sinclair - 29.

Nays: Councillors: Adams, Bossons, Bussin, Chow, Disero, Johnston, Kinahan, Korwin-Kuczynski, Layton, McConnell, Mihevc, Moscoe, Pantalone, Prue, Rae, Silva, Walker - 17.

Decided in the negative, less than two-thirds of Members present having voted in the affirmative.

At this point in the proceedings, Councillor Sgro gave Notice of the foregoing Motion to permit consideration at the next regular meeting of Council to be held on May 13, 1998.

Upon the question of the adoption of the foregoing motion by Councillor Adams, the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Balkissoon, Bossons, Brown, Bussin, Cho, Chow, Davis, Disero, Duguid, Faubert, Feldman, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, O'Brien, Pantalone, Prue, Rae, Saundercook, Sgro, Silva, Walker - 39.

Nays: Councillors: Augimeri, Berger, Chong, Flint, Mammoliti, Shaw, Shiner, Sinclair - 8.

Decided in the affirmative by a majority of 31.

632 At this point in the proceedings, and with the permission of Council, Councillor Pantalone seconded by Councillor Silva, moved that Council vary the order of its proceedings to now consider Notice of Motion 11(h) on the Order Paper for Council, and that, in accordance with Section 27 of the Council Procedural By-law, subsections 28(1) and (2) of said By-law be waived to permit consideration of the following Notice of Motion, which was carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by:**                   **Councillor Pantalone**

**Seconded by:**               **Councillor Silva**

“**WHEREAS** the annual Senhor Santo Cristo Festival will be held on May 16, 17 and 18, 1998; and

**WHEREAS** the annual Senhor Santo Cristo Festival is a much anticipated community event in the City of Toronto; and

**WHEREAS** St. Mary’s Church is seeking a resolution from City Council declaring the annual Senhor Santo Cristo Festival to be a community festival of municipal significance; and

**WHEREAS** this resolution is required by the Liquor Licence Board of Ontario to issue a special occasion permit;

**NOW THEREFORE BE IT RESOLVED THAT** City Council advise the Liquor Licence Board of Ontario that it deems the annual Senhor Santo Cristo Festival to be a community festival of municipal significance, in order to proceed with the application for a special occasion permit.”

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried.

Council resumed its consideration of the various Reports of the Standing Committees and Community Councils.

633    **Clause No. 1 of Report No. 3A of The Works and Utilities Committee, headed “Deposit/Return System for Alcoholic and Non-Alcoholic Beverage Containers”.**  
(See Appendix “A”, page 3256.)

Council also had before it, during consideration of the foregoing Clause, the following reports and communications:

- (i)     (April 9, 1998) from the City Solicitor, reporting, as requested by the Works and Utilities Committee, on legal remedies that may be used to help establish a deposit/return system for wine and spirit beverage containers sold in the new City of Toronto, and recommending that, should Council wish to proceed with the implementation of a deposit-return system for beverage containers, the Province be requested to enact legislation granting the City the power to do so;
- (ii)    (March 24, 1998) from the General Manager, Alcan Rolled Products Company, addressed to Councillor Betty Disero, advising of initiatives undertaken by Alcan

with respect to aluminum recycling, and enclosing background material in this regard;

- (iii) (April 15, 1998) from the President and CEO, Canadian Soft Drink Association (CSDA), providing comments on the proposed deposit/return system for the City of Toronto, and submitting a Fact Sheet in regard thereto;
- (iv) (undated) from Councillor Judy Sgro, North York - Humber, recommending that Council request the Commissioner of Works and Emergency Services and the City Solicitor to submit to the next meeting of the Works and Utilities Committee, a by-law requiring that all beverages sold in the City of Toronto be subject to a deposit return system;
- (v) (April 15, 1998) from Councillor Joan King, Seneca Heights, submitting for information, a copy of the Association of Municipalities of Ontario (AMO) Policy Report (March, 1998), entitled "AMO's Response to the Recycling Council of Ontario's Recycling Roles and Responsibilities Draft Consultation Paper";
- (vi) from various persons and organizations regarding the implementation of deposit/return system for beverage containers:
  - (April 15, 1998) from the President and CEO, Canadian Soft Drink Association (CSDA);
  - (April 9, 1998) from the Vice President, Municipal Support, Corporations Supporting Recycling (CSR);
  - (April 3, 1998) from the Director, Sales and Marketing, Metal Beverage Container Operations, Ball Packaging Products Canada, Inc.;
  - (March 31, 1998) from the Regional Director, Ontario, Canadian Council of Grocery Distributors;
  - (April 1, 1998) from the President, Crown Cork & Seal Canada Inc.;
  - (April 6, 1998) from the Manager, Environmental Quality, Procter & Gamble Inc.; and
  - (April 17, 1998) from the Vice President, Public Affairs, The Oshawa Group Limited;
- (vii) (April 22, 1998) from the City Clerk, forwarding, for consideration with Clause No. 1 of Report No. 3A of the Works and Utilities Committee, the following report and communication:
  - (April 16, 1998) from the City Solicitor, respecting a deposit/return system for beverage containers and measures that can be undertaken with respect to licensing at the retail or distribution level, as requested by the Committee at its meeting on March 25, 1998; and

- (April 20, 1998) from Mr. Robert G. Power, Outerbridge, Miller, Sefton, Willms & Shier, Barristers and Solicitors, in response to the Committee's invitation to appear before the Committee at its meeting on April 22, 1998, advising that he would not be available to attend the meeting due to a prior out-of-town commitment; and providing arguments for the City of Toronto to pursue a deposit/refund system within its jurisdiction, despite any regulatory restrictions that the City may currently face;
- (viii) (April 21, 1998) from the Association of Municipal Clerks and Treasurers of Ontario forwarding, for information, a copy of a Resolution enacted by the Corporation of the Township of North Dorchester on April 6, 1998, petitioning the Provincial Government to enact legislation to permit only a reusable plastic (PET) pop bottle program so that each PET bottle can be reused 25 times.

Council also had before it, during consideration of the foregoing Clause, the following communications:

- (i) (April 27, 1998) from Councillor Joan King, advising that the Minister of the Environment has requested the Recycling Council of Ontario to recommend short and long-term initiatives for curb side recycling programs; and forwarding, for the information of Council, a copy of the summary of possible Provincial initiatives; and
- (ii) (April 28, 1998) from Councillor Judy Sgro, North York - Humber, addressed to the President and CEO, Canadian Soft Drink Association, responding to the President and CEO's letter dated April 22, 1998.

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Disero, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) the report dated April 9, 1998, from the City Solicitor, entitled ‘Implementation of a Deposit/Return System for Wine and Spirit Containers’, embodying the following recommendation, be adopted:

‘It is recommended that, should City Council wish to proceed with the implementation of a deposit/return system for beverage containers, the Province of Ontario be requested to enact legislation granting the City the power to do so.’;

- (2) City Council endorse the following Resolution which was adopted by the Council of the Township of Hagarty and Richards at its meeting held on January 20, 1998:

**‘WHEREAS** the ratepayers of the municipality of Hagarty & Richards and all municipalities in Ontario are paying for ever-increasing costs of recyclable items; and

**WHEREAS** the Brewers’ Retail in Ontario maintains a deposit and refund system for their containers;

**NOW THEREFORE BE IT RESOLVED BY THE HAGARTY & RICHARDS COUNCIL THAT** the manufacturers of products placed in containers be required to offer a deposit and refund system for the return of these containers to the place of purchase once empty.’;

(3) City Council endorse the proposal of the Essex-Windsor Solid Waste Authority pertaining to the pilot project as embodied in the communication dated March 24, 1998, addressed to the Minister of Consumer and Commercial Relations, from the General Manager, Essex-Windsor Solid Waste Authority, for a deposit/return system for LCBO containers at three communities within the County of Essex; and

(4) the City Clerk be requested to forward a copy of the foregoing resolutions to the Minister of Consumer and Commercial Relations.”

(b) Councillor Jones, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works and Utilities Committee on:

(1) establishing a depot system which would allow residents to return wine bottles, soft drink containers, etc., on a voluntary basis, for recycling; and

(2) the use of bottle return machines that provide a cash refund and the possibility of having the program sponsored by non-profit volunteer groups.”

(c) Councillor King, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the 3Rs Sub-Committee be requested to review all options presented in the report of the Recycling Council of Ontario, and report back to the Works and Utilities Committee as to the best options to ensure:

- (1) funding reliability;
- (2) cost efficiency for residents; and
- (3) environmental improvement.”

- (d) Councillor Sgro, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) the Commissioner of Works and Emergency Services, in consultation with the City Solicitor, be:
  - (a) requested to submit to the next meeting of the Works and Utilities Committee, a draft by-law for a deposit/return system for LCBO containers sold in the City of Toronto; and
  - (b) authorized to retain outside counsel, if necessary;
- (2) all LCBO containers be banned from the City of Toronto’s blue box program and landfill sites effective September 1, 1998;
- (3) the Commissioner of Works and Emergency Services be requested to develop a communications program to have homeowners return their wine and spirit containers to the point of purchase, such communications program to include an announcement of a wine and spirit container take-back program in the next issue of the City of Toronto’s ‘Waste Watch’ newsletter; and
- (4) the Commissioner of Works and Emergency Services be requested to bring forth a by-law to require a deposit/return system in the City of Toronto for all other beverage containers.”

- (e) Councillor Layton, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) the deposit/return system and by-law being developed by City staff include a provision which would allow City Council to include or exclude various beverage container types, such as cans;
- (2) the Commissioner of Works and Emergency Services be authorized to organize a one-day conference, to be held in the Council Chambers of Metro Hall, during late May or early June, 1998, which will address the economic and environmental costs and benefits of implementing comprehensive deposit/return regulations for beverage containers in Ontario, with presentations by academic and professional guest speakers who are knowledgeable concerning these issues;
- (3) funds not to exceed \$15,000.00 be provided from the Works and Emergency Services Department’s budget for promotion and education to pay for the costs associated with the conference, including the reasonable per diem travel



and accommodation expenses of guests speakers, promotion of the conference, and related expenditures;

- (4) a session of the conference be devoted to discussing the development of a Province-wide strategy to create a coalition of municipalities and environmental organizations interested in achieving comprehensive deposit/return regulations for beverage containers sold in Ontario and in achieving full product stewardship for all other packaging waste such that the management of this waste results in zero municipal cost to Ontario municipalities;
- (5) the Minister of the Environment be requested to set up a product stewardship program that makes producers fully responsible for the economic costs and environmental impacts of the products and associated packaging they produce over their life cycle and that eliminates municipal taxpayer subsidies for the collection, reuse, recycling and disposal of these products and associated packaging;
- (6) the product stewardship program include: zero waste to disposal as an ideal to work toward to motivate continual improvement; the 3Rs waste management hierarchy; fair and equitable treatment of all producers, whether domestic or foreign; a convenient system for consumers to return products to producers; and phase-out of non-refillable beverage containers over the long term;
- (7) the Province of Ontario be requested to institute, through regulation, a comprehensive deposit/return system for beverage containers, with specific refillables targets set and a timetable for achieving these targets;
- (8) the regulation require that empty beverage containers be returned to retail stores with adequate compensation for retailers to fully cover their handling costs;
- (9) the Minister of the Environment be requested to establish a multi-stakeholder consultation on methods for meeting refillables targets which takes as a given that a comprehensive deposit/return system with increasing levels of refillable beverage containers across a broad array of beverage types will be in use in Ontario; and
- (10) the Province of Ontario be requested to develop an education and promotion program regarding deposit/return systems, product take-back and reuse.”

Mayor Lastman gave the Chair to Deputy Mayor Ootes, and vacated the Chair.

- (f) Councillor Mihevc, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that, at such time as the by-laws come forward, the Commissioner of Works and Emergency Services be requested to submit a report to the Works and Utilities Committee on the costs and benefits of keeping aluminum cans as part of the Blue Box system, such report to include:

- (a) employment in the aluminum recycling industry;
- (b) environmental implications; and
- (c) potential loss of municipal revenue.”

- (g) Councillor Shiner, in amendment, moved that the foregoing motion (a) by Councillor Disero be amended to provide that:

- (1) the City of Toronto pass a by-law to implement a deposit/return system; and
- (2) the Province of Ontario be requested to enact enabling legislation in this regard.

At this point in the proceedings, Councillor Shiner, with the permission of Council, withdrew his foregoing motion (g).

- (h) Councillor Korwin-Kuczynski, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Province of Ontario be requested to provide a share of the environmental levy to pay for the City’s recycling program.”

- (i) Councillor O’Brien, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Province of Ontario be requested to introduce legislation to allow refillable containers in the wine and agricultural industries.”

Upon the question of the adoption of Part (1) of the foregoing (a) by Councillor Disero, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (1) the report dated April 9, 1998, from the City Solicitor, entitled “Implementation of a Deposit/Return System for Wine and Spirit Containers”, embodying the following recommendation, be adopted:

“It is recommended that, should City Council wish to proceed with the implementation of a deposit/return system for beverage containers, the Province of Ontario be requested to enact legislation granting the City the power to do so.” ’ ’ ,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Miller, Nunziata, Pantalone, Prue, Saundercook, Sgro, Shaw, Silva, Sinclair - 40.

Nays: Councillors: Kinahan, Mihevc, Moscoe, O'Brien, Rae, Shiner, Walker - 7.

Decided in the affirmative by a majority vote of 33.

Upon the question of the adoption of Parts (2), (3) and (4) of the foregoing motion (a) by Councillor Disero, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (2) City Council endorse the following Resolution which was adopted by the Council of the Township of Hagarty and Richards at its meeting held on January 20, 1998:

“**WHEREAS** the ratepayers of the municipality of Hagarty & Richards and all municipalities in Ontario are paying for ever-increasing costs of recyclable items; and

**WHEREAS** the Brewers’ Retail in Ontario maintains a deposit and refund system for their containers;

**NOW THEREFORE BE IT RESOLVED BY THE HAGARTY & RICHARDS COUNCIL THAT** the manufacturers of products placed in containers be required to offer a deposit and refund system for the return of these containers to the place of purchase once empty.”;

- (3) City Council endorse the proposal of the Essex-Windsor Solid Waste Authority pertaining to the pilot project as embodied in the

communication dated March 24, 1998, addressed to the Minister of Consumer and Commercial Relations, from the General Manager, Essex-Windsor Solid Waste Authority, for a deposit/return system for LCBO containers at three communities within the County of Essex; and

- (4) the City Clerk be requested to forward a copy of the foregoing resolutions to the Minister of Consumer and Commercial Relations.’ ”,

it was carried.

Upon the question of the adoption of Part (1) of the foregoing motion (d) by Councillor Sgro, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (1) the Commissioner of Works and Emergency Services, in consultation with the City Solicitor, be:
  - (a) requested to submit to the next meeting of the Works and Utilities Committee, a draft by-law for a deposit/return system for LCBO containers sold in the City of Toronto; and
  - (b) authorized to retain outside counsel, if necessary;’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Giansante, Jakobek, Johnston, Jones, Kinahan, King Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 45.

Nays: Councillors: Holyday, Ootes, O’Brien - 3.

Decided in the affirmative by a majority of 42.

Upon the question of the adoption of Part (2) of the foregoing motion (d) by Councillor Sgro, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (2) all LCBO containers be banned from the City of Toronto’s blue box program and landfill sites effective September 1, 1998;’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Fillion, Flint, Fotinos, Jakobek, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Moscoe, Nunziata, Pantalone, Prue, Rae, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 37.

Nays: Councillors: Faubert, Feldman, Giansante, Holyday, King, Mammoliti, Miller, Ootes, O’Brien, Saundercook - 10.

Decided in the affirmative by a majority of 27.

Upon the question of the adoption of Part (3) of the foregoing motion (d) by Councillor Sgro, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (3) the Commissioner of Works and Emergency Services be requested to develop a communications program to have homeowners return their wine and spirit containers to the point of purchase, such communications program to include an announcement of a wine and spirit container take-back program in the next issue of the City of Toronto’s “Waste Watch” newsletter;’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Giansante, Jakobek, Johnston, Jones, Kinahan, King, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, O’Brien, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 45.

Nays: Councillors: Holyday, Korwin-Kuczynski, Ootes - 3.

Decided in the affirmative by a majority of 42.

Upon the question of the adoption of Part (4) of the foregoing motion (d) by Councillor Sgro, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (4) the Commissioner of Works and Emergency Services be requested to bring forth a by-law to require a deposit/return system in the City of Toronto for all other beverage containers.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Jakobek, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 43.

Nays: Councillors: Adams, Disero, Holyday, King, Ootes, O’Brien - 6.

Decided in the affirmative by a majority of 37.

Upon the question of the adoption of Part (1) of the foregoing motion (e) by Councillor Layton, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (1) the deposit/return system and by-law being developed by City staff include a provision which would allow City Council to include or exclude various beverage container types, such as cans;’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid,

Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Walker - 46.

Nays: Councillors: Johnston, O'Brien, Shiner, Sinclair - 4.

Decided in the affirmative by a majority of 42.

Upon the question of the adoption of the foregoing motion (f) by Councillor Mihevc, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that, at such time as the by-laws come forward, the Commissioner of Works and Emergency Services be requested to submit a report to the Works and Utilities Committee on the costs and benefits of keeping aluminum cans as part of the Blue Box system, such report to include:

- (a) employment in the aluminum recycling industry;
- (b) environmental implications; and
- (c) potential loss of municipal revenue.’ ”,

it was carried.

Upon the question of the adoption of Parts (5), (6), (7), (8) and (10) of the foregoing motion (e) by Councillor Layton, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (5) the Minister of Environment be requested to set up a product stewardship program that makes producers fully responsible for the economic costs and environmental impacts of the products and associated packaging they produce over their life cycle and that eliminates municipal taxpayer subsidies for the collection, reuse, recycling and disposal of these products and associated packaging;
- (6) the product stewardship program include: zero waste to disposal as an ideal to work toward to motivate continual improvement; the 3Rs waste management hierarchy; fair and equitable treatment of all producers, whether domestic or foreign; a convenient system for

consumers to return products to producers; and phase-out of non-refillable beverage containers over the long term;

- (7) the Province of Ontario be requested to institute, through regulation, a comprehensive deposit/return system for beverage containers, with specific refillables targets set and a timetable for achieving these targets;
- (8) the regulation require that empty beverage containers be returned to retail stores with adequate compensation for retailers to fully cover their handling costs; and
- (10) the Province of Ontario be requested to develop an education and promotion program regarding deposit/return systems, product take-back and reuse.’ ”,

it was carried.

Upon the question of the adoption of Part (9) of the foregoing motion (e) by Councillor Layton, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (9) the Minister of the Environment be requested to establish a multi-stakeholder consultation on methods for meeting refillables targets which takes as a given that a comprehensive deposit/return system with increasing levels of refillable beverage containers across a broad array of beverage types will be in use in Ontario;’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Augimeri, Berardinetti, Berger, Brown, Cho, Chow, Davis, Duguid, Faubert, Flint, Kinahan, Johnston, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Miller, Ootes, O’Brien, Pantalone, Saundercook, Sgro, Shaw, Silva, Sinclair, Walker - 27.

Nays: Councillors: Adams, Altobello, Balkissoon, Bossons, Bussin, Chong, Disero, Feldman, Fillion, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, King, Lindsay Luby, Mihevc, Moscoe, Nunziata, Prue, Rae, Shiner - 23.

Decided in the affirmative by a majority of 4.



Upon the question of the adoption of the foregoing motion (h) by Councillor Korwin-Kuczynski, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that the Province of Ontario be requested to provide a share of the environmental levy to pay for the City’s recycling program.’ ”,

it was carried.

At this point in the proceedings, Councillor Layton, moved that, in accordance with subsection 11(6) of the Council Procedural By-law, Council waive the requirement of the 12:30 p.m. recess, in order to conclude the vote on the foregoing Clause, which was carried, more than two-thirds of Members present having voted in the affirmative.

Upon the question of the adoption of the foregoing motion (i) by Councillor O’Brien, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that the Province of Ontario be requested to introduce legislation to allow refillable containers in the wine and agricultural industries.’ ”,

it was carried.

Upon the question of the adoption of the foregoing motion (b) by Councillor Jones, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works and Utilities Committee on:

- (1) establishing a depot system which would allow residents to return wine bottles, soft drink containers, etc., on a voluntary basis, for recycling; and
- (2) the use of bottle return machines that provide a cash refund and the possibility of having the program sponsored by non-profit volunteer groups.’ ”,

it was carried.

Upon the question of the adoption of the foregoing motion (c) by Councillor King, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that the 3Rs Sub-Committee be requested to review all options presented in the report of the Recycling Council of Ontario, and report back to the Works and Utilities Committee as to the best options to ensure:

- (1) funding reliability;
- (2) cost efficiency for residents; and
- (3) environmental improvement.’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Berardinetti, Berger, Cho, Chong, Davis, Disero, Duguid, Faubert, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, King, Korwin-Kuczynski, Mammoliti, Mihevc, Ootes, O’Brien, Saundercook, Shaw, Sinclair - 25.

Nays: Mayor: Lastman.  
Councillors: Augimeri, Balkissoon, Bossons, Brown, Bussin, Chow, Feldman, Fillion, Jakobek, Jones, Kinahan, Layton, Lindsay Luby, McConnell, Miller, Minnan-Wong, Moscoe, Nunziata, Pantalone, Prue, Rae, Sgro, Shiner, Silva, Walker - 26.

Decided in the negative by a majority of 1.

Upon the question of the adoption of Parts (2), (3) and (4) of the foregoing motion (e) by Councillor Layton, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (2) the Commissioner of Works and Emergency Services be authorized to organize a one-day conference, to be held in the Council Chambers of Metro Hall, during late May or early June, 1998, which will address the economic and environmental costs and benefits of implementing comprehensive deposit/return regulations for beverage containers in Ontario, with presentations by academic and professional guest speakers who are knowledgeable concerning these issues;
- (3) funds not to exceed \$15,000.00 be provided from the Works and Emergency Services Department’s budget for promotion and education to pay for the costs associated with the conference,

including the reasonable per diem travel and accommodation expenses of guests speakers, promotion of the conference, and related expenditures; and

- (4) a session of the conference be devoted to discussing the development of a Province-wide strategy to create a coalition of municipalities and environmental organizations interested in achieving comprehensive deposit/return regulations for beverage containers sold in Ontario and in achieving full product stewardship for all other packaging waste such that the management of this waste results in zero municipal cost to Ontario municipalities.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Augimeri, Berardinetti, Bossons, Brown, Bussin, Cho, Chow, Disero, Duguid, Faubert, Johnston, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Miller, O'Brien, Pantalone, Saundercook, Sgro, Shaw, Silva, Sinclair, Walker - 27.

Nays: Councillors: Altobello, Balkissoon, Berger, Bossons, Chong, Davis, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Lindsay Luby, Minnan-Wong, Moscoe, Nunziata, Ootes, Prue, Rae, Shiner - 24.

Decided in the affirmative by a majority of 3.

Upon the question of the adoption of the foregoing Clause, as amended, save and except Recommendation No. (2) of the Works and Utilities Committee, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, insofar as it pertains to Recommendation No. (2) of the Works and Utilities Committee, the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Augimeri, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Johnston, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Miller, Minnan-Wong, O'Brien, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Sinclair - 38.

Nays: Mayor: Lastman.  
Councillors: Balkissoon, Berger, Holyday, Jakobek, Jones, King, Mihevc, Moscoe, Nunziata, Ootes, Shiner, Walker - 13.

Decided in the affirmative by a majority of 25.

In summary, Council adopted the following recommendations:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (1) the report dated April 9, 1998, from the City Solicitor, entitled “Implementation of a Deposit/Return System for Wine and Spirit Containers”, embodying the following recommendation, be adopted:

“It is recommended that, should City Council wish to proceed with the implementation of a deposit/return system for beverage containers, the Province of Ontario be requested to enact legislation granting the City the power to do so.”;

- (2) City Council endorse the following Resolution which was adopted by the Council of the Township of Hagarty and Richards at its meeting held on January 20, 1998:

“**WHEREAS** the ratepayers of the municipality of Hagarty & Richards and all municipalities in Ontario are paying for ever-increasing costs of recyclable items; and

**WHEREAS** the Brewers’ Retail in Ontario maintains a deposit and refund system for their containers;

**NOW THEREFORE BE IT RESOLVED BY THE HAGARTY & RICHARDS COUNCIL THAT** the manufacturers of products placed in containers be required to offer a deposit and refund system for the return of these containers to the place of purchase once empty.”;

- (3) City Council endorse the proposal of the Essex-Windsor Solid Waste Authority pertaining to the pilot project as embodied in the communication dated March 24, 1998, addressed to the Minister of Consumer and Commercial Relations, from the General Manager, Essex-Windsor Solid Waste Authority, for a deposit/return system for LCBO containers at three communities within the County of Essex;
- (4) all LCBO containers be banned from the City of Toronto’s blue box program and landfill sites effective September 1, 1998;
- (5) the deposit/return system and by-law being developed by City staff include a provision which would allow City Council to include or exclude various beverage container types, such as cans;

- (6) the Minister of the Environment be requested to set up a product stewardship program that makes producers fully responsible for the economic costs and environmental impacts of the products and associated packaging they produce over their life cycle and that eliminates municipal taxpayer subsidies for the collection, reuse, recycling and disposal of these products and associated packaging;
- (7) the product stewardship program include: zero waste to disposal as an ideal to work toward to motivate continual improvement; the 3Rs waste management hierarchy; fair and equitable treatment of all producers, whether domestic or foreign; a convenient system for consumers to return products to producers; and phase-out of non-refillable beverage containers over the long term;
- (8) the Minister of Environment be requested to establish a multi-stakeholder consultation on methods for meeting refillables targets which takes as a given that a comprehensive deposit/return system with increasing levels of refillable beverage containers across a broad array of beverage types will be in use in Ontario;
- (9) the Province of Ontario be requested to:
  - (a) institute, through regulation, a comprehensive deposit/return system for beverage containers, with specific refillables targets set and a timetable for achieving these targets;
  - (b) develop an education and promotion program regarding deposit/return systems, product take-back and reuse;
  - (c) provide a share of the environmental levy to pay for the City's recycling program; and
  - (d) introduce legislation to allow refillable containers in the wine and agricultural industries;
- (10) the regulation require that empty beverage containers be returned to retail stores with adequate compensation for retailers to fully cover their handling costs;
- (11) the Commissioner of Works and Emergency Services be requested to:
  - (a) develop a communications program to have homeowners return their wine and spirit containers to the point of purchase, such communications program to include an announcement of a wine and spirit container take-back

- program in the next issue of the City of Toronto's "Waste Watch" newsletter; and
- (b) bring forth a by-law to require a deposit/return system in the City of Toronto for all other beverage containers;
- (12) the Commissioner of Works and Emergency Services, in consultation with the City Solicitor, be:
- (a) requested to submit to the next meeting of the Works and Utilities Committee, a draft by-law for a deposit/return system for LCBO containers sold in the City of Toronto; and
  - (b) authorized to retain outside counsel, if necessary;
- (13) the Commissioner of Works and Emergency Services be requested to submit a report to the Works and Utilities Committee on:
- (a) establishing a depot system which would allow residents to return wine bottles, soft drink containers, etc., on a voluntary basis, for recycling; and
  - (b) the use of bottle return machines that provide a cash refund and the possibility of having the program sponsored by non-profit volunteer groups;
- (14) at such time as the by-laws come forward, the Commissioner of Works and Emergency Services be requested to submit a report to the Works and Utilities Committee on the costs and benefits of keeping aluminum cans as part of the Blue Box system, such report to include:
- (a) employment in the aluminum recycling industry;
  - (b) environmental implications; and
  - (c) potential loss of municipal revenue;
- (15) the Commissioner of Works and Emergency Services be authorized to organize a one-day conference, to be held in the Council Chambers of Metro Hall, during late May or early June, 1998, which will address the economic and environmental costs and benefits of implementing comprehensive deposit/return regulations for beverage containers in Ontario, with presentations by academic and professional guest speakers who are knowledgeable concerning these issues;

- (16) funds not to exceed \$15,000.00 be provided from the Works and Emergency Services Department's budget for promotion and education to pay for the costs associated with the conference, including the reasonable per diem travel and accommodation expenses of guests speakers, promotion of the conference, and related expenditures;
- (17) a session of the conference be devoted to discussing the development of a Province-wide strategy to create a coalition of municipalities and environmental organizations interested in achieving comprehensive deposit/return regulations for beverage containers sold in Ontario and in achieving full product stewardship for all other packaging waste such that the management of this waste results in zero municipal cost to Ontario municipalities; and
- (18) the City Clerk be requested to forward a copy of the foregoing resolutions to the Minister of Consumer and Commercial Relations.' "

Council recessed at 12:33 p.m.

**2:15 P.M.**

Council reconvened.

Mayor Lastman took the Chair and called the Members to order.

634 At the request of Council, the City Clerk called the Roll at 2:15 p.m., those Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Cho, Chow, Disero, Faubert, Feldman, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Ootes, Pantalone, Rae, Saundercook, Sgro, Silva - 33.

635 Members present at the afternoon session of the second day of this Special Meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski,

Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Sinclair, Tzekas, Walker - 52.

Council resumed its consideration of the various Reports of the Standing Committees and Community Councils.

- 636 At this point in the proceedings, Councillor Pantalone presented the following Report for the consideration of Council:

Report No. 5 of The Urban Environment and Development Committee,

and moved, seconded by Councillor Rae, that the provisions of Section 44 of the Council Procedural By-law be waived in connection with the foregoing Report and that Council now give consideration to such Report, which was carried, more than two-thirds of Members present having voted in the affirmative.

Mayor Lastman requested Members of Council to indicate whether they had an interest in the Clause embodied in the foregoing Report, together with the nature of the interest.

There were no declarations of interest.

Upon the question of the adoption of Report No. 5 of The Urban Environment and Development Committee, without amendment, it was held in its entirety.

- 637 **Clause No. 1 of Report No. 5 of The Urban Environment and Development Committee, headed "Prohibition of Advertising Signs Abutting the F.G. Gardiner Expressway (formerly the Queen Elizabeth Way), Eglinton Avenue West, Highway No. 2, Highway No. 2A, and Highway No. 27".**  
(See Appendix "A", page 3247.)

Council also had before it, during consideration of the foregoing Clause, the following confidential report and communication:

- (i) (April 27, 1998) from the City Solicitor, such report to remain confidential in accordance with the provisions of the Municipal Act; and
- (ii) (April 27, 1998) from the General Manager, Sign Association of Canada, requesting that the proposed sign control interim by-law not be approved, and further requesting that the 45-metre set-back allowance agreement be maintained pending the decision reached at the meeting with the Road Allowance Sub-Committee.

Upon the question of the adoption of the foregoing Clause, without amendment:



- (a) Councillor Pantalone, in amendment, moved that the foregoing Clause be amended by striking out the recommendation of the Urban Environment and Development Committee and inserting in lieu thereof the following:

“**WHEREAS** by Order in Council 534/97, 535/97 and 647/97 the City has acquired former provincial highways with the result that the provincial regulations with respect to signs on the lands abutting those highways have ceased to apply; and

**WHEREAS** third party signs are currently prohibited within 45 metres of major arterial roads within the City; and

**WHEREAS** it would be prudent to prohibit third party signs on the lands abutting the newly acquired highways;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) Council propose to enact a sign by-law as an interim measure pursuant to the Municipal Act, to prohibit third party advertising within 45 metres of any limit of the sections of highway generally described as: the F.G. Gardiner Expressway from Highway 427 to Humber River; Eglinton Avenue from The East Mall to a point 0.5 kilometres east; Highway 2A from Highway 401 to old Highway 2 (Kingston Road); Highway 27 from Highway 401 to Steeles Avenue; and Highway 2 from Highway 401 to the City of Toronto and Durham boundary;
  - (2) Council delegate to the Urban Environment and Development Committee the function of hearing deputations from the public on the proposed by-law; and
  - (3) City staff be directed to give notice, in accordance with the Municipal Act, of the Urban Environment and Development Committee meeting at which the proposed by-law is to be discussed and to take any other steps necessary to give effect to this resolution.”
- (b) Councillor Kinahan, in amendment, moved that the foregoing motion (a) by Councillor Pantalone be amended by:
- (1) deleting therefrom the second recital; and
  - (2) deleting the words “within 45 metres” from Part (1) of the Operative Paragraph and inserting in lieu thereof the words “within 400 metres”.

Upon the question of the adoption of the foregoing motion (b) by Councillor Kinahan, it was carried.

Upon the question of the adoption of the foregoing motion (a) by Councillor Pantalone, as amended, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, viz.:

“that the foregoing Clause be amended by striking out the recommendation of the Urban Environment and Development Committee and inserting in lieu thereof the following:

‘**WHEREAS** by Order in Council 534/97, 535/97 and 647/97 the City has acquired former provincial highways with the result that the provincial regulations with respect to signs on the lands abutting those highways have ceased to apply; and

**WHEREAS** it would be prudent to prohibit third party signs on the lands abutting the newly acquired highways;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) Council propose to enact a sign by-law as an interim measure pursuant to the Municipal Act, to prohibit third party advertising within 400 metres of any limit of the sections of highway generally described as: the F.G. Gardiner Expressway from Highway 427 to Humber River; Eglinton Avenue from The East Mall to a point 0.5 kilometres east; Highway 2A from Highway 401 to old Highway 2 (Kingston Road); Highway 27 from Highway 401 to Steeles Avenue; and Highway 2 from Highway 401 to the City of Toronto and Durham boundary;
- (2) Council delegate to the Urban Environment and Development Committee the function of hearing depositions from the public on the proposed by-law; and
- (3) City staff be directed to give notice, in accordance with the Municipal Act, of the Urban Environment and Development Committee meeting at which the proposed by-law is to be discussed and to take any other steps necessary to give effect to this resolution.’ ”,

it was carried.

638 **Clause No. 1 of Report No. 1A of The Nominating Committee, headed “Appointments to the Board of Directors of the Greater Toronto Airports Authority (GTAA)”.**  
(See Appendix “A”, page 3407.)

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Lindsay Luby, in amendment, moved that the foregoing Clause be amended by striking out and referring Recommendations Nos. (2) and (3) of the Nominating Committee back to the Nominating Committee for further consideration.
- (b) Councillor Moscoe, in amendment, moved that the foregoing Clause be struck out and referred back to the Nominating Committee for further consideration; and the Labour Council be requested to provide the name of its nominee for appointment by City Council to the GTAA Board of Directors.

Council deferred further consideration of the foregoing Clause until later in the meeting. (See Minute No.648.)

639 At this point in the proceedings, Councillor Walker, with the permission of Council, moved that, in accordance with subsection 11(6) of the Council Procedural By-law, Council waive the requirement of the 4:00 p.m. adjournment, and that Council continue in session until 5:00 p.m., the vote upon which was taken as follows:

Yeas: Councillors: Adams, Augimeri, Berardinetti, Brown, Chow, Faubert, Johnston, Kelly, Kinahan, King, Korwin-Kuczynski, McConnell, Mihevc, Rae, Saundercook, Sgro, Silva, Sinclair, Walker - 19.

Nays: Councillors: Altobello, Bussin, Chong, Disero, Duguid, Feldman, Flint, Giansante, Holyday, Jakobek, Jones, Layton, Lindsay Luby, Moeser, Moscoe, Ootes, O'Brien, Tzekas - 18.

Decided in the negative, less than two-thirds of Members present having voted in the affirmative.

Councillor Moeser, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, the foregoing vote be re-opened for further consideration and that such vote be taken again, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Altobello, Augimeri, Berardinetti, Berger, Brown, Bussin, Cho, Chong, Duguid, Faubert, Feldman, Fillion, Gardner, Giansante, Johnston, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Moeser, Moscoe, Ootes, O'Brien, Prue, Rae, Saundercook, Silva, Sinclair, Tzekas, Walker - 34.

Nays: Councillors: Chow, Disero, Flint, Holyday, Jakobek, Jones, Kinahan, Nunziata, Sgro - 9.

Decided in the affirmative, more than two-thirds of Members present having voted in the affirmative.

Upon the question of the adoption of the foregoing motion by Councillor Walker, viz.:

“that, in accordance with subsection 11(6) of the Council Procedural By-law, Council waive the requirement of the 4:00 p.m. adjournment, and that Council continue in session until 5:00 p.m.”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Augimeri, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Duguid, Faubert, Filion, Gardner, Jakobek, Johnston, Kelly, Kinahan, Korwin-Kuczynski, Layton, McConnell, Mihevc, Moeser, Nunziata, Ootes, Rae, Saundercook, Sgro, Silva, Sinclair, Tzekas, Walker - 32.

Nays: Mayor: Lastman.  
Councillors: Chow, Disero, Feldman, Flint, Giansante, Holyday, Jones, Lindsay Luby, Moscoe, O'Brien, Prue - 12.

Decided in the affirmative, more than two-thirds of Members present having voted in the affirmative.

640 **Clause No. 4 of Report No. 3A of The Works and Utilities Committee, headed “Mixed Waste Recycling and Organics Processing Demonstration Facility”.**  
(See Appendix “A”, page 3304.)

Council also had before it, during consideration of the foregoing Clause, a chart, submitted by the Commissioner of Works and Emergency Services, showing Mixed Waste Recycling and Organics Processing.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Moscoe, in amendment, moved that:

- (1) the foregoing Clause be struck out and referred back to the Works and Utilities Committee; and
- (2) the Commissioner of Works and Emergency Services be directed to ensure that consultation takes place with the surrounding industrial and residential community and that a plan be developed for integrating the proposed facility into the industrial community in a way that makes the industrial community an integral part of the process.

Upon the question of the adoption of Part (1) of the foregoing motion by Councillor Moscoe, the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Brown, Cho, Faubert, Feldman, Filion, Giansante, Jones, Korwin-Kuczynski, Lindsay Luby, Moscoe, Prue, Sgro, Silva, Walker - 15.

Nays: Councillors: Altobello, Augimeri, Bossons, Bussin, Chow, Disero, Duguid, Gardner, Holyday, Johnston, Kelly, Kinahan, King, Layton, McConnell, Mihevc, Ootes, Saundercook, Sinclair, Tzekas - 20.

Decided in the negative by a majority of 5.

Upon the question of the adoption of Part (2) of the foregoing motion by Councillor Moscoe, the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Altobello, Augimeri, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chow, Disero, Duguid, Faubert, Feldman, Filion, Fotinos, Gardner, Giansante, Holyday, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Moscoe, Ootes, Prue, Saundercook, Sgro, Silva, Sinclair, Tzekas, Walker - 37.

Nay: Councillor: Flint - 1.

Decided in the affirmative by a majority of 36.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

641 **Clause No. 7 of Report No. 4A of The Strategic Policies and Priorities Committee, headed "Process to Develop an Agreement on Matters of Mutual Interest Between the City of Toronto and the Greater Toronto Airports Authority to Lester B. Pearson International Airport".**  
(See Appendix "A", page 3316.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Moscoe, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

"It is further recommended that:

- (1) the Toronto Transit Commission be requested to participate fully in the negotiations respecting the accord; and
- (2) the matter of the Malton Bus be resolved through this process."

Upon the question of the adoption of the foregoing motion by Councillor Moscoe, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

- 642 **Clause No. 11 of Report No. 4A of The Strategic Policies and Priorities Committee, headed “Resolution - Business Education Tax Rate in Ontario”.**  
(See Appendix “A”, page 3324.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Bossons, in amendment, moved that the foregoing Clause be amended by striking out the recommendation of the Strategic Policies and Priorities Committee and inserting in lieu thereof the following:

“It is recommended that the transmittal letter dated March 26, 1998, from the Assessment and Tax Policy Task Force be received.”

Upon the question of the adoption of the foregoing motion by Councillor Bossons, it was carried.

- 643 **Clause No. 19 of Report No. 4A of The Strategic Policies and Priorities Committee, headed “Increase in Property Tax Reassessment”.**  
(See Appendix “A”, page 3350.)

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

At this point in the proceedings, Councillor Adams, with the permission of Council, moved that Council vary the order of its proceedings to now consider Clause No. 25 of Report No. 4A of The Strategic Policies and Priorities Committee, headed “Property Assessment and Tax Policy System”, which was carried.

- 644 **Clause No. 25 of Report No. 4A of The Strategic Policies and Priorities Committee, headed “Property Assessment and Tax Policy System”.**  
(See Appendix “A”, page 3352.)

Council also had before it, during consideration of the foregoing Clause, the following reports:

- (i) (April 14, 1998) from the Chief Financial Officer and Treasurer, providing, as requested by the Strategic Policies and Priorities Committee, an updated process for the development of a tax implementation plan, and submitting additional recommendations with respect thereto;
- (ii) (April 16, 1998) from the Chief Financial Officer and Treasurer, providing a list of all Provincial regulations which need to be finalized to execute property tax reform in Ontario; and
- (iii) (April 16, 1998) from the Chief Financial Officer and Treasurer, providing additional information regarding the impact of using a calculated transition ratio for

the multi-residential properties versus the preliminary transition ratio as directed by the Province.

Council also had before it, during consideration of the foregoing Clause, the following:

- (i) communication (April 22, 1998) from the City Clerk, submitting amendments to the recommendations contained in the communication dated April 6, 1998, from the Chair, Assessment and Tax Policy Task Force, embodied in Clause No. 25 of Report No. 4A of the Strategic Policies and Priorities Committee, headed "Property Assessment and Tax Policy System"; and
- (ii) a copy of a resolution adopted by the GTA Mayors and Regional Chairs at their meeting held on April 17, 1998, requesting the Province of Ontario to grant municipalities the option to limit property taxation increases to 2.5 percent per year for the next three years on all residential and other property tax classes for those taxation increases imposed as a result of changes to Provincial assessment/tax policy.

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Adams, in amendment, moved that the foregoing Clause be amended:
  - (1) by inserting the words " , if and as adopted by Council," after the word "changes" in Recommendation No. (2) of the Assessment and Tax Policy Task Force, embodied in the transmittal letter dated April 6, 1998, from the City Clerk, so that the recommendations of the Assessment and Tax Policy Task Force shall now read as follows:
    - “(1) That Council request the Government of Ontario and Legislature to hold public hearings on the announced new legislation to address problems with the new Current Value Assessment (CVA) system;
    - (2) That Council authorize the Chair of the Assessment and Tax Policy Task Force and the Chief Financial Officer and Treasurer to make representations to the Ontario Government and Legislature on recommended changes, if and as adopted by Council, to Provincial legislation and regulations regarding property assessment and property taxes; and
    - (3) That Council request the Government of Ontario and Legislature to amend the appropriate legislation to establish the preliminary tax rate study as a public record within the meaning of the Municipal Freedom of Information and Protection of Privacy Act.”; and
  - (2) by adding thereto the following:

“It is further recommended that:

- (a) the recommendations of the Assessment and Tax Policy Task Force embodied in the transmittal letter dated April 22, 1998, from the City Clerk, be adopted, viz.:
  - ‘(1) That the Province be requested in their drafting of the capping legislation to provide for the re-opening of all leases to ensure that commercial and industrial tenant formerly residentially rated pay their proportionate share of residential taxes under the capping option, the enactment of which would render any rebate program unnecessary during the course of the capping provision;
  - (2) That the Province be requested to continue to collect and maintain tenant information in the commercial and industrial property classes and to make this information available to the City in 1998 and subsequent assessment rolls; and
  - (3) That in the interests of administrative efficiencies for the City, and to ensure that the appropriate taxes are billed, the Province be requested to enact new legislation providing for the separate assessment of charitable and similar organizations that are tenants in commercial or industrial properties and authorizing the City to issue tax bills directly to charitable and similar organizations, with ultimate responsibility for payment in the event of default on the owner of the property, the enactment of which would also render the rebate program unnecessary.’;
- (b) City Council request the Province of Ontario to:
  - (i) provide municipalities with the authority to create a separate class for the retail, restaurant, retail with residential above and retail with office categories on the Assessment Roll;
  - (ii) provide in its legislation and regulations for internal apportionments to deliver caps on tax increases due to reassessment in the commercial and industrial categories with particular emphasis on the shopping centre categories on the Assessment Roll; and
  - (iii) provide in its legislation and regulations for a separate class for heritage lands and buildings on the Assessment Roll; and



- (c) City Council endorse the Resolution which was adopted by the GTA Mayors and Regional Chairs at their meeting held on April 17, 1998, as embodied in the communication submitted by Councillor Layton.”
- (b) Councillor Layton, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
- “It is further recommended that a Working Group on Multi-Unit Residential Taxation, chaired by Councillor McConnell and including any Councillor wishing to serve, and who has constituents who are tenants in multi-unit residential buildings, be established to initiate discussions with organizations that represent Landlords, in order to obtain their support for regulatory changes that would ensure that reductions in multi-unit residential taxes result in benefits to tenants.”
- (c) Councillor Kinahan, in amendment, moved that Parts (2)(b)(iii) and (2)(c) of the foregoing motion (a) by Councillor Adams be referred to the Assessment and Tax Policy Task Force for consideration.
- (d) Councillor Moscoe, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
- “It is further recommended that the report dated April 14, 1998, from the Chief Financial Officer and Treasurer, entitled ‘Updated Process to Develop Tax Plan’, embodying the following recommendations, be adopted:
- ‘It is recommended that:
- (1) the revised process for the Assessment and Tax Policy Task Force to report to Council on a tax implementation plan, as outlined in this report, be adopted;
  - (2) a Special Meeting of Council be called in June to consider the final tax policy plan for the City; and
  - (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.’ ”
- (e) Councillor Duguid, in amendment, moved that the foregoing Clause be amended to provide that the Chair of the Assessment and Tax Policy Task Force be authorized to include in the presentations to the Province only subject matter that has been duly approved by City Council.

Upon the question of the adoption of the foregoing motion (c) by Councillor Kinahan, insofar as it pertains to the referral of Part (2)(c) of the foregoing motion (a) by Councillor Adams to the Assessment and Tax Policy Task Force for consideration, it was carried.

Upon the question of the adoption of the foregoing motion (c) by Councillor Kinahan, insofar as it pertains to the referral of Part (2)(b)(iii) of the foregoing motion (a) by Councillor Adams to the Assessment and Tax Policy Task Force for consideration, the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Augimeri, Berardinetti, Brown, Cho, Duguid, Faubert, Feldman, Giansante, Holyday, Kelly, Kinahan, King, Lindsay Luby, Moeser, Ootes, Saundercook, Sgro, Shaw, Tzekas - 20.

Nays: Councillors: Adams, Altobello, Berger, Bossons, Bussin, Chong, Chow, Disero, Filion, Flint, Fotinos, Johnston, Jones, Korwin-Kuczynski, Mammoliti, Mihevc, Moscoe, Pantalone, Prue, Rae, Silva, Walker - 22.

Decided in the negative by a majority of 2.

Upon the question of the adoption of the foregoing motion (a) by Councillor Adams, as amended, it was carried.

Upon the question of the adoption of the foregoing motion (e) by Councillor Duguid, it was carried.

Upon the question of the adoption of the foregoing motion (b) by Councillor Layton, it was carried.

Upon the question of the adoption of the foregoing motion (d) by Councillor Moscoe, it was carried.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to Recommendation No. (1) of the Assessment and Tax Policy Task Force embodied in the transmittal letter dated April 6, 1998, from the City Clerk, viz.:

“(1) That Council request the Government of Ontario and Legislature to hold public hearings on the announced new legislation to address problems with the new Current Value Assessment (CVA) system;”

the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Berger, Bossons, Brown, Bussin, Chow, Disero, Feldman, Filion, Flint, Fotinos, Giansante, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, Mihevc, Moscoe, O’Brien, Pantalone, Prue, Rae, Sgro, Silva, Walker - 28.

Nays: Mayor: Lastman.

Councillors: Altobello, Berardinetti, Cho, Chong, Duguid, Faubert, Holyday, Kinahan, King, Moeser, Ootes, Saundercook, Shaw, Tzekas -15.

Decided in the affirmative by a majority of 13.

Upon the question of the adoption of the balance of the foregoing Clause, as amended, viz.:

“That the foregoing Clause be amended:

(1) by inserting the words ‘, if and as adopted by Council,’ after the word ‘changes’ in Recommendation No. (2) of the Assessment and Tax Policy Task Force, embodied in the transmittal letter dated April 6, 1998, from the City Clerk, so that the recommendations of the Assessment and Tax Policy Task Force shall now read as follows:

‘(1) That Council request the Government of Ontario and Legislature to hold public hearings on the announced new legislation to address problems with the new Current Value Assessment (CVA) system;

(2) That Council authorize the Chair of the Assessment and Tax Policy Task Force and the Chief Financial Officer and Treasurer to make representations to the Ontario Government and Legislature on recommended changes, if and as adopted by Council, to Provincial legislation and regulations regarding property assessment and property taxes; and

(3) That Council request the Government of Ontario and Legislature to amend the appropriate legislation to establish the preliminary tax rate study as a public record within the meaning of the Municipal Freedom of Information and Protection of Privacy Act.’;

(2) to provide that the Chair of the Assessment and Tax Policy Task Force be authorized to include in the presentations to the Province only subject matter that has been duly approved by City Council; and

(3) by adding thereto the following:

‘It is further recommended that:

(a) the recommendations of the Assessment and Tax Policy Task Force embodied in the transmittal letter dated April 22, 1998, from the City Clerk, be adopted, viz.:

“(1) That the Province be requested in their drafting of the capping legislation to provide for the re-opening of all leases to ensure

that commercial and industrial tenant formerly residentially rated pay their proportionate share of residential taxes under the capping option, the enactment of which would render any rebate program unnecessary during the course of the capping provision;

- (2) That the Province be requested to continue to collect and maintain tenant information in the commercial and industrial property classes and to make this information available to the City in 1998 and subsequent assessment rolls; and
  - (3) That in the interests of administrative efficiencies for the City, and to ensure that the appropriate taxes are billed, the Province be requested to enact new legislation providing for the separate assessment of charitable and similar organizations that are tenants in commercial or industrial properties and authorizing the City to issue tax bills directly to charitable and similar organizations, with ultimate responsibility for payment in the event of default on the owner of the property, the enactment of which would also render the rebate program unnecessary.”;
- (b) City Council request the Province of Ontario to:
- (i) provide municipalities with the authority to create a separate class for the retail, restaurant, retail with residential above and retail with office categories on the Assessment Roll;
  - (ii) provide in its legislation and regulations for internal apportionments to deliver caps on tax increases due to reassessment in the commercial and industrial categories with particular emphasis on the shopping centre categories on the Assessment Roll; and
  - (iii) provide in its legislation and regulations for a separate class for heritage lands and buildings on the Assessment Roll;
- (c) the report dated April 14, 1998, from the Chief Financial Officer and Treasurer, headed “Updated Process to Develop Tax Plan”, embodying the following recommendations be adopted:

“It is recommended that:

- (1) the revised process for the Assessment and Tax Policy Task Force to report to Council on a tax implementation plan, as outlined in this report, be adopted;

- (2) that a special meeting of Council be called in June to consider the final tax policy plan for the City; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.”;
- (d) a Working Group on Multi-Unit Residential Taxation, chaired by Councillor McConnell and including any Councillor wishing to serve, and who has constituents who are tenants in multi-unit residential buildings, be established to initiate discussions with organizations that represent Landlords, in order to obtain their support for regulatory changes that would ensure that reductions in multi-unit residential taxes result in benefits to tenants; and
- (e) the following motion be referred to the Assessment and Tax Policy Task Force for consideration:

Moved by Councillor Adams:

“It is recommended that City Council endorse the Resolution which was adopted by the GTA Mayors and Regional Chairs at their meeting held on April 17, 1998, as embodied in the communication submitted by Councillor Layton.” ’ ’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Augimeri, Berger, Bossons, Brown, Bussin, Chong, Chow, Disero, Faubert, Filion, Flint, Fotinos, Holyday, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Mammoliti, Mihevc, Moscoe, Ootes, O’Brien, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Walker - 35.

Nays: Councillors: Altobello, Berardinetti, Cho, Duguid, Feldman, Giansante, Lindsay Luby, Moeser, Tzekas - 9.

Decided in the affirmative by a majority of 26.

645 At this point in the proceedings, Councillor Mammoliti, with the permission of Council, moved that Council vary the order of its proceedings to now consider Notice of Motion 10(b) appearing on the Order Paper, as follows:

**Moved by: Councillor Mammoliti**

**Seconded by: Councillor Miller**

“**WHEREAS** most City Councillors have had the opportunity to consult with their communities in respect to the latest changes in the property assessments; and

**WHEREAS** many residents are receiving substantial increases in their assessments; and

**WHEREAS** the Province has given the municipalities some control over how it sorts out and rectifies its problems concerning the property assessments across the City; and

**WHEREAS** there will be literally thousands of property tax appeals lodged before June 29, 1998;

**NOW THEREFORE BE IT RESOLVED THAT** the City implement a strategy to help residents who have, or who wish to, appeal tax increases to the Assessment Review Board by setting up an interim, arms-length **FAIR TAX ASSESSMENT OFFICE**;

**AND BE IT FURTHER RESOLVED THAT** this office do all things necessary to help these applicants.”,

which was carried.

Upon the question of the adoption of the foregoing Motion, without amendment, Councillor Mammoliti, in amendment, moved that the foregoing Motion be referred to the Assessment and Tax Policy Task Force.

Upon the question of the adoption of the foregoing motion by Councillor Mammoliti, it was carried.

646 **Clause No. 13 of Report No. 4A of The Strategic Policies and Priorities Committee, headed “Proposed New Municipal Act - Ministry of Municipal Affairs and Housing Consultation Document”.**

(See Appendix “A”, page 3333.)

Council also had before it, during consideration of the foregoing Clause, a communication from Councillor Joan King, Seneca Heights (April 15, 1998) submitting for information, a copy of the Association of Municipalities of Ontario’s (AMO’s) Municipal Act Task Force Report respecting the proposed new Municipal Act, entitled “Phase I - Key Issues”, and advising that once the final document is prepared, a copy will be forwarded to all Members of Council.

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor King, seconded by Councillor Faubert, in amendment, moved that the foregoing Clause be amended by striking out the recommendation of the Strategic Policies and Priorities Committee and inserting in lieu thereof the following:

“It is recommended that the Minister of Municipal Affairs and Housing be informed that City Council:

- (1) does not support the draft of the proposed new Municipal Act as it does not meet the objectives of the municipalities; and
- (2) supports the key issues stated by the Association of Municipalities of Ontario, as embodied in its news release dated April 24, 1998.”

- (b) Councillor Moscoe, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that City Council express to the Provincial Government, its disappointment with the new Municipal Act as it has failed miserably in its avowed promise of municipal empowerment.”

Upon the question of the adoption of the foregoing motion (a) by Councillor King, seconded by Councillor Faubert, the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Feldman, Filion, Flint, Holyday, Johnston, Jones, Kelly, King, Layton, Lindsay Luby, Mammoliti, Mihevc, Moeser, Moscoe, Nunziata, O'Brien, Pantalone, Prue, Rae, Sgro, Silva, Sinclair, Tzekas, Walker - 39.

Nays: Nil.

Decided in the affirmative, without dissent.

Upon the question of the adoption of the foregoing motion (b) by Councillor Moscoe, the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Gardner, Giansante, Johnston, Jones, Kelly, Kinahan, Layton, Lindsay Luby, Mammoliti, Mihevc, Moeser, Moscoe, Nunziata, O'Brien, Prue, Rae, Sgro, Silva, Sinclair, Walker - 37.

Nays: Councillors: Chong, Holyday, Tzekas - 3.

Decided in the affirmative by a majority of 34.

- 647 **Clause No. 2 of Report No. 4A of The Special Committee to Review the Final Report of the Toronto Transition Team, headed "Toronto Library Board Structure".**  
(See Appendix "A", page 3395.)

Council also had before it, during consideration of the foregoing Clause, a communication (April 9, 1998) from Ms. G. Lundeen, Library Transition Team, Toronto Public Library reporting, as requested by the Special Committee to Review the Final Report of the Toronto Transition Team, on a recommended criteria for the appointment of citizen members to the Toronto Public Library Board.

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Moeser, in amendment, moved that the foregoing Clause be amended by amending the report dated March 30, 1998, from the Chief Administrative Officer as follows:
- (1) deleting from Recommendation No. (1) the number "15", and inserting in lieu thereof the number "11";
  - (2) deleting from Recommendation No. (1)(a) the word "seven", and inserting in lieu thereof the word "five";
  - (3) deleting from Recommendation No. (1)(d) the word "five", and inserting in lieu thereof the word "three";
  - (4) deleting from Recommendation No. (5) the words "and citizen members of the Interim Board";
  - (5) deleting from Recommendation No. (6) the word "six", and inserting in lieu thereof the word "four"; and
  - (6) deleting from Recommendation No. (7) the words "an additional two", and inserting in lieu thereof the word "three".
- (b) Councillor Moscoe, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
- "It is further recommended that the report (undated) from the Toronto Public Library Board, be adopted."



- (c) Councillor Layton, in amendment, moved that the foregoing motion (b) by Councillor Moscoe be amended by adding thereto the words “subject to adding to the criteria for selecting Board Members of the Toronto Public Library Board the provision that Board Members must possess a valid library card”.

Upon the question of the adoption of the foregoing motion (a) by Councillor Moeser, the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Altobello, Berardinetti, Berger, Chong, Feldman, Flint, Giansante, Holyday, Lindsay Luby, Mammoliti, Moeser, O’Brien - 13.

Nays: Councillors: Adams, Augimeri, Balkissoon, Bossons, Brown, Bussin, Chow, Duguid, Faubert, Filion, Gardner, Johnston, Jones, Kelly, Kinahan, Layton, Mihevc, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Silva, Sinclair, Tzekas, Walker - 27.

Decided in the negative by a majority of 14.

Upon the question of the adoption of the foregoing motion (c) by Councillor Layton, it was carried.

Upon the question of the adoption of the foregoing motion (b) by Councillor Moscoe, as amended, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that the report (undated) from the Toronto Public Library Board, be adopted, subject to adding to the criteria for selecting Board Members of the Toronto Public Library Board the provision that Board Members must possess a valid library card.’ ”,

it was carried.

Mayor Lastman gave the Chair to Deputy Mayor Ootes, and vacated the Chair.

648 Council resumed its consideration of Clause No. 1 of Report No. 1A of The Nominating Committee, headed “Appointments to the Board of Directors of the Greater Toronto Airports Authority (GTAA)”. (See also Minute No. 638)

- (c) Councillor Kelly, in amendment, moved that the foregoing Clause be amended by:

- (1) deleting from Recommendation No. (2) of the Nominating Committee the name "Mr. Jeffery Lyons", and inserting in lieu thereof the name "Mr. Don Baxter"; and
  - (2) striking out Recommendation No. (3) of the Nominating Committee.
- (d) Councillor O'Brien, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
- "It is further recommended that:
- (1) the Greater Toronto Airports Authority (GTAA) be requested to refrain from making an appointment to the Board of Directors, having regard that Mr. Jeff Lyons, the appointee recommended by the Nominating Committee, has withdrawn his application for this appointment;
  - (2) the Minister of Transport be notified of the foregoing request by City Council of the GTAA, and be requested to ensure that such request is carried out; and
  - (3) the City Clerk be requested to notify the communities of the former Cities of York and Etobicoke of this vacancy on the GTAA Board, by means of the local community newspapers, in order to determine whether other individuals are interested in this position."

Deputy Mayor Ootes designated Councillor Gardner to take the Chair for the next part of the meeting, and vacated the Chair.

- (e) Councillor Walker, in amendment, moved that the foregoing Clause be amended:
- (1) by deleting from Recommendation No. (2) of the Nominating Committee the name "Mr. Jeffery Lyons", and inserting in lieu thereof the name "Mr. Robert Bandeen";
  - (2) to provide that the appointment of Mr. Bandeen be for a term of three years; and
  - (2) by striking out Recommendation No. (3) of the Nominating Committee.

Deputy Mayor Ootes resumed the Chair.

- 649 At this point in the proceedings, having regard to the previous decision of Council to adjourn at 5:00 p.m. (see Minute No. 639), and in accordance with subsection 11(6) of the Council Procedural By-law, Council deferred further consideration of the foregoing Clause, together with the following items remaining on the Order Paper for this meeting of Council, and reports and communications related thereto, to the next regular meeting of City Council to be held on May 13, 1998:

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REPORT NO. 4A OF THE STRATEGIC POLICIES  
AND PRIORITIES COMMITTEE

- Clause No. 12 - "Provincial Property Tax System".
- Clause No. 27 - "Independent Review of Provincial Current Value Assessments".

REPORT NO. 3A OF THE TORONTO COMMUNITY COUNCIL

- Clause No. 43 - "Retention of Expert Planning Witness - 5, 7 and 9 Sultan Street (Downtown)".

REPORT NO. 4A OF THE SPECIAL COMMITTEE TO REVIEW  
THE FINAL REPORT OF THE TORONTO TRANSITION TEAM

- Clause No. 1 - "Terms of Reference for Economic Development Committee".

NOTICES OF MOTION:

(a) **Moved by:** **Councillor Walker**

**Seconded by:** **Councillor Adams**

**"WHEREAS** there has been a great deal of speculation in the media regarding the possible purchase of the City of Toronto's 'Union Station lands'; and

**WHEREAS** the Mayor's office has not supplied City of Toronto Councillors with any details regarding any such proposal; and

**WHEREAS** Councillor Michael Walker, by way of a letter dated February 18, 1998 (see attached) requested that the Mayor provide City Councillors with information regarding the proposed land deal; and

**WHEREAS** the Mayor has still not provided the requested information; and

**WHEREAS** it is vital that the negotiations for any possible disposition of these lands be done openly in a public forum; and

**WHEREAS**, it is essential that the City of Toronto receive 'fair market value' for its lands, which are worth well in excess of \$100 million;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) City Council appoint a lead negotiator, who, along with City staff, negotiate the possible sale/lease of the Union Station lands with Maple Leaf Gardens;
- (2) City staff select three possible chief negotiators for final selection by City Council. In selecting the three possible negotiators, staff is to give consideration to those candidates with knowledge of these lands and with previous experience in negotiating their disposition to Maple Leaf Gardens;
- (3) City Council meet in special session to decide what instructions to give its negotiating team regarding any possible disposition of the lands; and
- (4) City Council continue to meet at regular intervals, in special session, to receive briefings from the City negotiators and to further instruct the negotiators.”

(b) **Moved by:**                   **Councillor Fotinos**

**Seconded by:**               **Councillor Disero**

“**WHEREAS** the Toronto Police Service has identified a need to find a new location for 14 Division headquarters; and

**WHEREAS** the Police have short-listed two potential sites for the new division headquarters; and

**WHEREAS** the former TTC Lansdowne garage is one of these two sites; and

**WHEREAS** the site is owned by the public (TTC/City); and

**WHEREAS** a police station at this site would be of great benefit to the Bloor/Lansdowne area;

**NOW THEREFORE BE IT RESOLVED THAT** the Toronto Police Service be requested to choose the Lansdowne garage site as the new location for 14 Division headquarters;

**AND BE IT FURTHER RESOLVED THAT** the Toronto Police Service be requested to abandon the other site.”

(c) **Moved by:**                   **Councillor Berger**

**Seconded by:**               **Councillor Moscoe**

“**WHEREAS** the Parking Authority members will not be nominated for some time; and

**WHEREAS** the Authority has the responsibility to elect a president; and

**WHEREAS** it is important that the president reflect the policies of the City and be chosen by the new board;

**NOW THEREFORE BE IT RESOLVED THAT** the Parking Authority be requested to defer the appointment until the new board takes effect.”

(d) **Moved by:** Councillor Walker

**Seconded by:** Councillor Disero

“**WHEREAS** the Mayor has promised the citizens of Toronto a 10-year tax freeze; and

**WHEREAS** the Province of Ontario has imposed an assessment that is not only unfair and haphazard but is literally unreasonable; and

**WHEREAS** a court is unlikely to uphold a law whose application bears no relation to the wording of the legislation, i.e. ‘value established by what a willing buyer would pay to a willing seller’;

**NOW THEREFORE BE IT RESOLVED THAT** City Council take no action to implement the unreasonable legislation respecting Current Value Assessment; **AND BE IT FURTHER RESOLVED THAT** City Council be prepared to defend this action, if necessary, before a court by providing empirical evidence respecting the improper and incompetent way the assessment was conducted, including seeking a declaration that the said application of assessments is in contravention of the law;

**AND BE IT FURTHER RESOLVED THAT**, in the absence of any rational assessment scheme that would meet the test of the Courts, Council direct that the final 1998 property tax bills be sent based on the 1997 assessment rolls at 1997 mill rates;

**AND BE IT FURTHER RESOLVED THAT** the effect of Resolution Nos. (1), (2) and (3) shall mean a property tax freeze for all ratepayers in 1998;

**AND BE IT FURTHER RESOLVED** that, if Council requires further funds to meet its obligations, that those funds be drawn from tax collected on behalf of the Province by the City.”

(e) **Moved by:** Councillor Layton

**Seconded by:** Councillor King

“**WHEREAS** smog is responsible for 1,800 premature deaths in Ontario each year of which 180 deaths are in the City of Toronto; and

**WHEREAS** emergency hospital admissions for respiratory problems in infants rise by 15 percent immediately after severe smog days; and

**WHEREAS** the citizens of our city deserve to breathe clean air; and

**WHEREAS** the City of Toronto has the power and responsibility to address this issue; and

**WHEREAS** the smog season is just about to start and the City should be acting quickly to respond to the problem; and

**WHEREAS** the former City of Toronto and the former Municipality of Metropolitan Toronto had considered this problem and had adopted a series of motions and policies to start to address the problem;

**NOW THEREFORE BE IT RESOLVED THAT** City Council direct the Medical Officer of Health to report back to City Council in May, 1998, with a Corporate Smog Alert Response Plan for Council’s consideration;

**AND BE IT FURTHER RESOLVED THAT** City Council adopt the recommendations in the attached joint report dated April 3, 1998, from Councillors Layton and King, which bring forward the anti-smog initiatives taken by former Municipalities of Metropolitan Toronto and Toronto.”

(f) **Moved by:** Councillor Jakobek

**Seconded by:** Councillor Ootes

“**WHEREAS** the Budget Committee accepted the proposal of the Commissioner of Urban Planning and Development to discontinue the program previously delivered, only in the former City of Toronto, which paid on behalf of property owners and collected utility payments in like manner as realty property taxes when such utilities had been discontinued to tenanted properties, under the authority of Section 6 of the City of Toronto Act, 1936 (which applied only in the former City of Toronto); and

**WHEREAS** it is anticipated that the legislative authority for this program will be repealed or superseded by the Provincial Government in the spring of 1998; and

**WHEREAS** it is desirable to ensure regulations are in place that are applicable to the whole of the new City of Toronto; and

**WHEREAS** Bill 104, The Vital Services Act, authorizes Municipalities to pass By-laws requiring Vital Services Utilities to adopt a similar program;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor be requested to draft a By-law in accordance with Bill 104 to be presented to the Urban Environment and Development Services Committee for consideration;

**AND BE IT FURTHER RESOLVED THAT** City Council communicate with the City's vital services utility providers requesting their co-operation in continuing this service under the authority of and as would be required by the By-law proposed in resolution No. (1);

**AND BE IT FURTHER RESOLVED THAT** the appropriate staff initiate discussions with the City's vital services utility providers to share information regarding the operational aspects of the former City of Toronto's utility restoration program."

(g) **Moved by:** Councillor Sgro

**Seconded by:** Councillor Korwin-Kuczynski

"**WHEREAS** City Council at its meeting on March 4, 5, and 6, 1998, in its consideration of Item (e) headed 'Permanent Charity Gaming Clubs and Video Lottery Terminals' embodied in Clause No. 15 of Report No. 2 of The Urban Environment and Development Committee, headed 'Other Items Considered by the Committee', struck out the action taken by the Committee and, inter alia, adopted the following recommendation:

'(2) in place of the Sub-Committee on Permanent Charity Gaming Clubs and Video Lottery Terminals established by The Urban Environment and Development Committee, a Sub-Committee on Gambling be formed to address the appropriate distribution of gambling revenues between the Province of Ontario and charities.'; and

**WHEREAS** the City Clerk was requested to poll Members of Council for their interest in serving as members of the Sub-Committee on Gambling; and

**WHEREAS** the following Members of Council have expressed an interest in being appointed to the Sub-Committee on Gambling:

Councillor Brown;  
Councillor Bussin;  
Councillor Faubert;  
Councillor Korwin-Kuczynski;  
Councillor Mammoliti; and

Councillor Sgro;

**NOW THEREFORE BE IT RESOLVED THAT** Councillors Brown, Bussin, Faubert, Korwin-Kuczynski, Mammoliti; and Sgro be appointed to the Sub-Committee on Gambling.”

(h) **Moved by:**                   **Councillor Pantalone**

**Seconded by:**               **Mayor Lastman**

“**WHEREAS** section 3 of the Building Code Act, 1992, requires the Council of each municipality to appoint a chief building official; and

**WHEREAS** the Commissioner of Urban Planning and Development Services has conducted an internal competition in accordance with the guidelines established by the Executive Director of Human Resources; and

**WHEREAS** the panel that conducted the interviews for selection of the candidate included the Commissioner of Urban Planning and Development Services, a representative of the Human Resources Department and the Assistant Deputy Minister of Housing Policy and Programs; and

**WHEREAS** the Chief Administrative Officer, who has delegated authority to appoint for positions at the Level 3 and below, was briefed on the selection process and concurs in the selection; and

**WHEREAS**, as a result, Yaman Uzumeri, has been hired as Executive Director of the Building Division of the Urban Planning and Development Services Department;

**WHEREAS** Council must pass a by-law to designate the Chief Building Official under the Building Code Act;

**WHEREAS** it is expedient to appoint Yaman Uzumeri, Chief Building Official for the City of Toronto;

**WHEREAS**, until the restructuring of the Building Division is completed and Directors/Deputy Chief Building Officials are appointed, it is necessary to maintain existing authorities within the six (6) former municipalities to process applications and issue orders;

**WHEREAS** the continuation of the powers and duties of all current Chief Building Officials and Deputy Chief Building Officials is appropriate to maintain the authority structure on an interim basis;



**NOW THEREFORE BE IT RESOLVED THAT** Yaman Uzumeri be appointed Chief Building Official for the City of Toronto;

**AND BE IT FURTHER RESOLVED THAT** Bruce Ashton, Beate Bowron, Harold Bratten, Pamela Coburn, Tony Chow, Rick Mori, and Bernie Roth be appointed Deputy Chief Building Officials for the City of Toronto;

**AND BE IT FURTHER RESOLVED THAT** leave be granted to introduce a Bill in Council substantially in the form attached to this Notice of Motion to give effect to the appointments.”

(i) **Moved by:** Councillor Balkissoon

**Seconded by:** Councillor Mahood

“**WHEREAS** a major issue facing the new City of Toronto is being competitive with the GTA region in creating jobs and attracting industries through aggressive economic development initiatives; and

**WHEREAS** the new City of Toronto, through its economic development program, must carefully review its inventory of available lands; and

**WHEREAS** this review must consider the continued viability of many existing older industrial (employment) lands and, in the interest of economic development, their conversion to other higher and better uses; and

**WHEREAS** the conversion of older industrial lands will have a direct impact on the inventory of available employment lands especially the undeveloped employment (industrial) lands (greenfields); and

**WHEREAS** Scarborough Community Council is currently considering a land use study of 753 acres of undeveloped industrial lands for redesignation for other uses;

**NOW THEREFORE BE IT RESOLVED THAT** the Interim Functional Lead, Economic Development, be requested to report on this application and its impact from an economic development perspective to the meeting of the Urban Environment and Development Committee scheduled to be held May 19, 1998;

**AND BE IF FURTHER RESOLVED THAT** the Urban Environment and Development Committee be requested to advise the Scarborough Community Council of any interest, from an economic development perspective, regarding this application at its meeting scheduled to be held on May 27, 1998.”

(j) **Moved By:** Councillor Jakobek

**Seconded By:           Councillor Korwin-Kuczynski**

“**WHEREAS** representatives from the Legal and Housing Departments of the former City of Toronto have been meeting with the Province’s representatives under the Province’s ‘File Close Out Process’ with a view to negotiating claims that the City and Cityhome have against the Province arising out of the cancellation of the Province’s social housing programs; and

**WHEREAS** the Province is prepared to make a partial payment to the City at this time in respect of all outstanding non-land related claims; and

**WHEREAS** in order to receive the settlement funds in a timely manner and in order to continue with the negotiations with the Province for the remaining portion of the City and Cityhome’s claims, it is important that City Council consider this matter at its meeting of April 16, 1998;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) City Council consider the confidential report from the City Solicitor dealing with the partial settlement of the former City of Toronto and Cityhome’s claim against the Province arising out of the cancellation of the Province’s social housing programs; and
- (2) City Council approve the proposed partial settlement for the reasons set out in the confidential report and adopt the recommendations of the City Solicitor.”

(k) **Moved by:           Councillor Chow**

**Seconded by:       Councillor McConnell**

“**WHEREAS** the Children’s Action Committee on April 6, 1998, recommended that:

- ‘(1) the Provincial Government be advised of Council’s extreme concern that the Provincial Government’s new education funding model will jeopardize the services currently provided in Toronto to children and their families;
- (2) the Provincial Government be requested to review its education funding allocation and broaden its definition of classroom and student needs to include the whole education community to ensure that there are adequate resources available to address children’s needs such as: nutrition programs; child care; adult education; after four programs; community use of schools; programs and services for newly arrived students and their families; additional staff and programs for inner City students; and other services that improve a student’s “readiness to learn”;

- (3) the Provincial Government be invited to appoint two MPPs from its caucus representing the Toronto area to work with City and Toronto School Board officials to ensure that the programs listed in Recommendation No. (2) are protected; and
- (4) the Toronto School Board be requested to continue its immigration settlement activities by creating a partnership approach which involves the Toronto School Boards, the City and the Provincial and Federal governments.'; and

**WHEREAS** it is critical that City Council express its concern in this regard to the Provincial government as soon as possible;

**NOW THEREFORE BE IT RESOLVED THAT** City Council adopt the recommendations of the Children's Action Committee as outlined above."

(l) **Moved by:** Councillor Silva

**Seconded by:** Councillor Disero

**"WHEREAS** Council on March 4, 5 and 6, 1998, adopted Clause No. 1 of Report No. 2 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed 'Appointment to the Toronto Arts Council';

**NOW THEREFORE BE IT RESOLVED THAT** City Council authorize an amendment to the Grant Agreement between the Toronto Cultural Advisory Corporation and the City of Toronto to provide as follows:

- that Section 1.5.1(a) of the Agreement shall read 'five directors appointed by the Council who shall be members of Council.'
- that Section 5.3 of the Agreement shall read 'Council at its inaugural meeting following a regular municipal election will appoint five members of Council to the Board of Directors'; and
- that 'such other amendments as are necessary to give effect to City Council's motion from its March 4, 5 and 6, 1998, meeting at which three additional Councillors were appointed to the Board of the Toronto Arts Council.' "

(m) **Moved by:** Councillor Jakobek

**Seconded by:** Councillor Korwin-Kuczynski

**"WHEREAS** City Council at its meeting held on April 16, 1998, adopted, as amended, Clause No. 14 of Report No. 4 of The Strategic Policies and Priorities

Committee, headed 'Toronto City Council's Response to Draft Greater Toronto Services Board Act';

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with Section 46 of the Council Procedural By-law, Clause No. 14 of Report No. 4 of The Strategic Policies and Priorities Committee, headed 'Toronto City Council's Response to Draft Greater Toronto Services Board Act', be reopened for further consideration."

(n) **Moved by:** **Councillor Mammoliti**

**Seconded by:** **Councillor Li Preti**

"**WHEREAS** the Ontario Government's Health Services Restructuring Commission recommended the closure of Northwestern Hospital and its 'merger' with Humber River Regional Hospital; and

**WHEREAS** this will require the expansion of the Church Street site of the Humber River Regional Hospital, which has already submitted a rezoning application to facilitate this expansion; and

**WHEREAS** the Humber River Regional Hospital is situated in the planning jurisdictions of the former cities of York and North York;

**NOW THEREFORE BE IT RESOLVED THAT** Council indicate to the Humber River Regional Hospital that in order to facilitate their rezoning application, community concerns will have to be addressed through a wider consultation process;

**AND BE IT FURTHER RESOLVED THAT** Council support the establishment of an Advisory Committee, composed of the six Councillors representing York Humber, North York Humber and Black Creek, along with representatives from the communities of Keele/Eglinton, Jane and Lawrence, Jane and Finch, and a representative of the Humber River Regional Hospital;

**AND BE IT FURTHER RESOLVED THAT** public consultation meetings on the Church Street expansion proposal be held at the York Civic Service Centre and the North York Civic Service Centre."

(o) **Moved by:** **Councillor Rae**

**Seconded by:** **Councillor Chow**

"**WHEREAS** Eric Ross Arthur was an Architect, writer and educator who had a great deal of influence on the design and preservation of some of the most significant buildings in the City of Toronto; and

**WHEREAS** the St. Lawrence Hall and University College restoration were completed under his supervision; and

**WHEREAS** Eric Ross Arthur was the professional advisor of the competition for the design of the award winning Toronto City Hall; and

**WHEREAS** Eric Ross Arthur was a professor at the University of Toronto School of Architecture from 1923 until 1982, influencing three generations of Toronto architects; and

**WHEREAS** Eric Ross Arthur wrote the book, 'Toronto, No Mean City' in 1964 that became the most influential text for the movement to appreciate and preserve Toronto's rich architectural legacy; and

**WHEREAS** 1998 is the centenary of the birth of Eric Ross Arthur;

**NOW THEREFORE BE IT RESOLVED THAT** Canada Post Corporation be urged to design and issue a stamp to commemorate Eric Ross Arthur's outstanding achievements in the field of architecture and historical, architectural preservation."

(p) **Moved by:** **Councillor McConnell**

**Seconded by:** **Councillor Disero**

**"BE IT RESOLVED THAT** the Clerk report on the feasibility of establishing a help-line to provide information about the new tax to residents, to operate for the month of June;

**AND BE IT FURTHER RESOLVED THAT** the Clerk report on the feasibility of notifying Toronto residents of the help-line in material accompanying their tax bill;

**AND BE IT FURTHER RESOLVED THAT** the Clerk report on the cost of providing the services identified above in the 13 languages most often used by residents of the new City."

(q) **Moved by:** **Councillor Layton**

**Seconded by:** **Councillor Faubert**

**"WHEREAS** City Council, by its adoption, as amended, of Clause No. 2 of Report No. 1 of The Striking Committee, headed '1998 Schedule of Meetings', established the schedule of meetings for Council, Community Councils and Standing Committees; and

**WHEREAS** there are Members of Council who are also members of the Board of Directors of FCM, and the meeting of Council scheduled to be held on June 3 and 4, 1998, conflicts with the timing of the Annual Meeting of FCM; and

**WHEREAS**, in order for Members of Council to attend the Annual Meeting of FCM which is to be held in Regina, Saskatchewan, from June 5 to 8, 1998, there must be sufficient lead time provided for travel requirements and attendance at preliminary workshops related to the meeting; and

**WHEREAS** if the Council meeting is not rescheduled, those Members of Council planning to attend FCM would probably have to leave the meeting of Council prior to its conclusion;

**NOW THEREFORE BE IT RESOLVED THAT** the meeting of City Council scheduled to be held on June 3 to 5, 1998, be rescheduled to June 10 to 12, 1998.”

(r) **Moved by:** Councillor Adams

**Seconded by:** Councillor O'Brien

**“BE IT RESOLVED THAT** a Special Meeting of City Council be held on June 22 and 23, 1998, to deal with tax policy and tax rate matters;

**AND BE IT FURTHER RESOLVED THAT**, in order to accommodate this Special Meeting of Council, the meeting of the Corporate Services Committee, scheduled to be held on June 22, 1998, be rescheduled to June 29, 1998, and the meeting of the Budget Committee, scheduled to be held on June 23, 1998, be rescheduled to the afternoon of June 29, 1998;

**AND BE IT FURTHER RESOLVED THAT** a Special Meeting of the Strategic Policies and Priorities Committee be held on June 17, 1998, to consider the report of the Assessment and Tax Policy Task Force for report thereon to Council.”

(s) **Moved by:** Councillor Jakobek

**Seconded by:** Councillor Korwin-Kuczynski

**“WHEREAS** Olde Town Toronto Tours Limited wishes to operate a horse drawn trolley service to provide tours within the City of Toronto; and

**WHEREAS** the horse drawn trolleys intended for use by Olde Town Toronto Tours Limited have a passenger capacity of 25 persons; and

**WHEREAS** Metropolitan Toronto By-Law No. 20-85 requires owners and drivers of horse drawn trolleys to be licensed by the Toronto Licensing Commission; and

**WHEREAS** section 17 of Schedule 35 of the Metropolitan Toronto By-law restricts the passenger capacity of such horse drawn trolleys to 5 persons;

**NOW THEREFORE BE IT RESOLVED THAT** section 17 of Schedule 35 to Metropolitan Toronto By-law No. 20-85 be amended to permit the operation of horse drawn trolleys with a passenger capacity of 25 persons;

**AND BE IT FURTHER RESOLVED THAT** authority be granted for the introduction of the necessary Bill in Council to give effect thereto.”

(t) **Moved by:** Councillor Bossons

**Seconded by:** Councillor Miller

“**WHEREAS** municipalities charge 1.25 per cent monthly (15 per cent annually) interest rate on unpaid property tax bills; and

**WHEREAS** many taxpayers have complained about this high interest rate; and

**WHEREAS** if CVA-related tax increases begin to apply in 1998, many taxpayers will have difficulties in coming up with the extra tax, at least in the beginning; and

**WHEREAS** many must default on taxes while they begin planning for the sale of their homes;

**NOW THEREFORE BE IT RESOLVED THAT** for 1998, 1999 and 2000, the City of Toronto adjust this interest rate downward.”

(u) **Moved by:** Councillor Giansante

**Seconded by:** Councillor O’Brien

“**WHEREAS** City Council at its meeting held on January 2, 6, 8 and 9, 1998, by its adoption, as amended, of Clause No. 1 of Report No. 1 of The Striking Committee, appointed Councillor Giansante to the Toronto and Region Conservation Authority; and

**WHEREAS** due to a conflict of meeting dates between the Board of Governors of Exhibition Place and the Authority, I am unable to attend the meetings of the Toronto and Region Conservation Authority;

**NOW THEREFORE BE IT RESOLVED THAT** City Council accept the resignation of Councillor Mario Giansante, Kingsway-Humber, from the Toronto and Region Conservation Authority.”

(v) **Moved by:** Councillor Jakobek

**Seconded by: Councillor Korwin-Kuczynski**

“**WHEREAS** City Council at its meeting held on April 16, 1998, received, for information, Item (p), entitled ‘Fences Within the City Street Allowance (All Wards in the Former City of Toronto)’, embodied Clause No. 96 of Report No. 3 of Toronto Community Council, headed ‘Other Items Considered by the Community Council’;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with Section 46 of the Council Procedural By-law, Item (p), entitled ‘Fences Within the City Street Allowance (All Wards in the Former City of Toronto)’ embodied in Report No. 3 of Toronto Community Council headed ‘Other Items Considered by the Community Council’ be reopened and referred back to the Toronto Community Council for further consideration.”

(w) **Moved by: Councillor Nunziata**

**Seconded by: Councillor Mammoliti**

“**WHEREAS** the Ontario Government’s Health Services Restructuring Commission recommended the closure of Northwestern Hospital and its ‘merger’ with Humber River Regional Hospital; and

**WHEREAS** this will result in the expansion of the Church Street site of the Humber River Regional Hospital, which has already submitted a rezoning application to facilitate this expansion; and

**WHEREAS** the Hospital is situated in the planning jurisdictions of the former Cities of York and North York;

**NOW THEREFORE BE IT RESOLVED THAT** the Planning staff of the City be directed to hold the official public meetings on the hospital expansion in both the Civic Centres of York and North York, prior to the applications being submitted to City of Toronto Council for approval;

**AND BE IT FURTHER RESOLVED THAT**, since the premature closing of the Northwestern Hospital site has contributed to emergency room overcrowding, lack of acute-care beds and a reduction in the quality of health care service to the community, that Council requests Cabinet, through the Minister of Health, to overturn the recommendation of the Health Services Restructuring Commission to close the Northwestern Hospital site.”

650 Councillor Adams, seconded by Councillor Berardinetti, moved that leave be granted to introduce:



“Bill No. 222 To confirm the last portion of the proceedings of the Council at its Special Meeting held on the 28th day of April and the 1st day of May, 1998.”,

which was carried.

Upon the question, “Shall this Bill, prepared for this Special Meeting of Council, be passed and hereby declared as a By-law?”, as follows:

“By-law No. 218-1998 To confirm the last portion of the proceedings of the Council at its Special Meeting held on the 28th day of April and the 1st day of May, 1998.”,

the vote upon which was as follows:

Yeas: Councillors: Adams, Altobello, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong Chow, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, Jones, Kelly, Kinahan, Layton, Lindsay Luby, Mammoliti, Mihevc, Moscoe, Nunziata, Ootes, O’Brien, Prue, Rae, Sgro, Shaw, Silva, Sinclair, Tzekas, Walker - 41.

Nays: Councillors: Davis, Pantalone - 2.

Decided in the affirmative by a majority of 39.

Council adjourned at 5:00 p.m..

**MEL LASTMAN,**  
Mayor

**NOVINA WONG,**  
City Clerk